

Attachment E



# Harrison Neighborhood Association

February 28, 2011

Adele Hall  
417 N. 5<sup>th</sup> Street  
Suite 320  
Minneapolis, MN 55401

Ms. Hall:

It is with great concern and disappointment that the Harrison Neighborhood Association submits the following public comment. As an Environmental Justice community, we have very serious concerns about the decision-making process, final product, and next steps stated in the Station Area Strategic Planning document. The Station Area Strategic Planning Document is seen in some ways as a step backwards for our community and in conflict with principles of Equitable Transit Oriented Develop (ETOD).

Community members have been working for over 15 years create a redevelopment in Bassett Creek Valley consistent with Transit Oriented Development (TOD) that would generate needed jobs, housing, community supporting businesses, community connections and needed tax revenue for local government. As a result, Harrison residents have been strong and vocal supporters of the Kenilworth alignment. They see the Southwest Light Rail Line as a means to reduce racial and economic inequities by connecting Northsiders to regional job centers and encourage redevelopment in Bassett Creek Valley to address the history of discriminatory planning that has left North Minneapolis isolated and marginalized.

The Bassett Creek Valley Planning process has enjoyed a high level of community engagement. Over 650 people provided input into the BCV Master Plan that was approved in 2007. The community identified priorities were living wage jobs, diverse and affordable housing options, and that the redevelopment of publicly-owned lands must promote the revitalization of the entire area. Unfortunately, this input and work approved by the community and City Council has not been adequately reflected in the station area planning process for the Van White Station Stop. The original drawings showed very little of the envisioned development for Linden Yard West and open-air rail storage for Linden Yards East. Improvements have been made in the renderings since September 2010, but community is only being provided scenarios with commuter rail storage. This is concerning because there has been no formal decisions committing Linden Yards East

503 Irving Avenue North, Minneapolis, MN 55405 o: 612-374-4849, f: 612-374-9777  
[www.hnampls.org](http://www.hnampls.org)

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for a rail-layover facility nor have the needed feasibility studies been completed to make that decision.

The fair and just redevelopment of Bassett Creek Valley will not only benefit the Harrison neighborhood, North Minneapolis and the City of Minneapolis. It will benefit the Hennepin County by expanding the tax base, locating upwards of 6,000 jobs, and create close to 900 units of housing. The success of Bassett Creek Valley is a regional equity issue.

The Harrison Neighborhood Association requests that the following additional points be included in the public comment for the Station Area Strategic Plan:

1. The Station Area Strategic Plan lacks credibility as a guide for policymakers for the following reasons:
  - a. Community requests for designs without a commuter layover facility were never met. Harrison residents representing the Harrison neighborhood and the 5<sup>th</sup> Ward on the SWLRT Citizen Advisory Committee raised concerns at meetings. Residents that attended the open houses also voiced concerns about the lack of options and focus on accommodating rail storage at the expense of Transit Oriented Development.
  - b. The final document clearly advocates for siting the commuter layover facility on Linden Yards East. The final document demonstrates this prejudice by only providing the merits of Linden Yards East despite stating on pages 43 (Van White Station Stop) and 62 (Penn Station Stop) that "it is not within the scope of this Station Area Strategic Planning to evaluate the merits of sites...". Both Linden Yards East and Cedar Yards (Penn Station) are considered viable sites by the 2010 Interchange Feasibility Study. The prejudice towards Linden Yards East is demonstrated again by providing Van White Station Stop with renderings that only reflect the commuter layover facility.
  - c. The final document misrepresents the formal Minneapolis City Council's position on the sale of Linden Yards East. The two misrepresentations can be found on pages 43 and 62. In reality, the City Council struck language prioritizing rail storage over development and directed City staff to explore joint development strategies and report back. This action was passed April 2, 2010 and the formal proceedings have been attached to be included in the formal comment.
2. The illustrations depicting development over commuter rail storage are misleading for policy makers and disconnected from the reality of developing a platform that could accommodate Transit Oriented Development on top and several acres of rail storage underneath.
  - a. Key feasibility work has not been started. The City of Minneapolis has recently received a grant to do limited feasibility work. The proposed feasibility study will provide more information but it is unclear if there will be any definitive answers provided at its end. Here are a few key questions that need to be answered before a plinth is pursued as a solution:



- (1) Is a joint development strategy (plinth or other scenario) feasible, (2) What would be the cost, (3) Where would additional resources come, (4) Which public entity is responsible for securing the resources, (5) Will this decision reduce or delay benefits of redevelopment, (6) What is the impact to low-income communities and communities of color, (7) What are the cumulative impacts of rail car storage on an Environmental Justice community? (8) What are the impacts to potential property tax revenues from the site? (9) Will there be open-air rail storage? If so, how long and what impact will that have on the marketability of Linden Yards West? (10) Do the feasible joint-development scenarios conform to Equitable Transit Oriented Development principles?
- b. There are no illustrations or mitigation strategies to address 20-30 years (possibly more) of open air rail storage. The funding for a development platform would be parsed out between each of the commuter lines due to funding formulas for transit projects. This will undoubtedly impact access, mobility, development potential, and maintain the isolation of the area. It is unfortunate that no illustrations were provided to address interim challenges of open air rail storage which is the reality even if a joint development scenario is feasible.
3. The final document does not adequately acknowledge or address the needs of Harrison property owners, renters and business owners. North Minneapolis stakeholders are not referenced under the Land Ownership section on page 35 or in the Origins, Destinations & Connectivity section on page 40, however Southside institutions and residential property are addressed. This Bassett Creek Valley is home to over 170 businesses and over 150 homes, all of which are in the ½ mile radius of the Van White Station Stop. Strategies to improve pedestrian, bicycle, and automobile access to the Van White Station Stop focused solely on the Van White Memorial Blvd. Other innovative or creative solutions were not developed. Increasing the accessibility for those originating from the station stop is incredibly important. Based on our research, the top job skills that resident have North Minneapolis match the top industries along SWLRT Corridor. Included with this letter is that jobs and industry data.

Graduate students from the Hubert H. Humphrey Institute produced a report quantifying the potential impact if commuter rail storage prevented redevelopment around the Van White Station Stop. The opportunity costs to the City of Minneapolis and the surrounding community include but are not limited to:


- Loss of 2,800 jobs
- Loss of 500 new housing units (some affordable) and 1,000 new resident occupants
- Diminished overall catalyst impact of any development that does occur on economic development of adjacent commercial parts of Harrison.
- Fragmentation of land use within the Bassett Creek Valley
- Loss of increased walkability, street activity, affordability, and location efficiency created by transit oriented development
- Loss of future Tax Base

The Bassett Creek Valley Planning process and development have enjoyed a high level of community engagement. Hundreds of people have been involved stating priorities of living wage jobs, diverse and affordable housing options, and that the redevelopment of publicly-owned lands must promote the revitalization of the entire area.

There is a strong track record of partnership between Hennepin County, the City of Minneapolis and the community. Hennepin County has contributed to the construction of the Van White Memorial Blvd and invested substantial sums to remediate two former Superfund sites. The City of Minneapolis has committed significant planning resources to the area and made our joint priorities for the area the formal land use and development policy for the City of Minneapolis. It is critical that we work together to preserve all our gains and realize our shared vision of a revitalized Bassett Creek Valley that equitably benefits the surrounding community.

We appreciate there is still much more work to be done in planning the Southwest LRT Line. We also know that the decisions made now will frame the future opportunities for North Minneapolis, the City and the region as a whole.

Sincerely yours,

  
Maren McDonell  
Board President

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF APRIL 2, 2010

(Published April 10, 2010, in *Finance and Commerce*)

Council Chamber  
350 South 5th Street  
Minneapolis, Minnesota  
April 2, 2010 - 9:30 a.m.  
Council President Johnson in the Chair.  
Present - Council Members Glidden, Goodman, Hodges, Samuels, Gordon, Reich, Hofstede, Schiff, Lilligren, Colvin Roy, Tuthill, Quincy, President Johnson.  
Lilligren moved adoption of the agenda. Seconded.  
Vice President Lilligren assumed the Chair.  
Johnson moved to amend the agenda to include a new motion #2 approving the Council Committee Reporting Department document. Seconded.  
Adopted upon a voice vote.  
The agenda, as amended, was adopted 4/2/2010.  
President Johnson resumed the Chair.  
Lilligren moved acceptance of the minutes of the special meeting of March 10, 2010 and the regular meeting of March 12, 2010. Seconded.  
Adopted upon a voice vote 4/2/2010.  
Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.  
Adopted upon a voice vote 4/2/2010.

### PETITIONS AND COMMUNICATIONS

#### COMMITTEE OF THE WHOLE:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274129)  
Status Report on 2010 Census.

#### COMMITTEE OF THE WHOLE (See Rep):

COORDINATOR (274130)  
City of Minneapolis' Five-Year Goals, Strategic Directions and Values.  
INTERGOVERNMENTAL RELATIONS (274131)  
State Legislative Agenda: Support information House File 3184 (Champion) and Senate File 2809 (Higgins).



The COMMUNITY DEVELOPMENT, TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

Comm Dev, T&PW & W&M/Budget - Your Committee, having under consideration the recommendations of the Departments of Community Planning & Economic Development and Public Works relating to Bassett Creek Valley Exclusive Development Rights, as follows:

- a) That Ryan Companies be granted exclusive development rights to Linden Yards West through 2015 provided annual progress is demonstrated as described in the staff report;
- b) If Linden Yards East is selected as the preferred site for a rail layover facility, direct City staff to work with the Hennepin County Regional Rail Authority (HCRRA) on a joint development strategy by 12/31/2010 to maximize development, including air rights after rail needs are accommodated;
- c) Modify provisions related to Ryan's good-faith deposit of \$20,000 (currently in possession of the City) to provide that such deposit shall be fully refundable upon written request by Ryan to terminate their exclusive development rights, until 30 days after definitive conclusions of the negotiation period between the City and HCRRA regarding commuter rail storage, to allow Ryan to assess the impact of such agreement on their proposed development;
- d) Direct City staff to continue its analysis of Ryan's proposal, negotiate mutually agreeable terms and conditions for one or more redevelopment agreements under the basic framework outlined in the report, and return to the Council for authorization and further direction when appropriate;

now recommends:

Comm Dev & T&PW - Approval of recommendations (a), (c) and (d) and that recommendation (b) be referred back to staff with direction to draft alternate language.

W&M/Budget - Approval of recommendations (a), (c) and (d), and approval of recommendation (b) to read as follows: "b) If Linden Yard East is selected by the Hennepin County Regional Rail Authority (HCRRA) as the preferred site for a rail layover facility, City staff is directed to work with the HCRRA on joint development strategies to maximize development and report back to the City Council on these strategies by 12/31/2010."

Quincy moved to amend the report by approving the Ways & Means/Budget Committee recommendation and deleting the Community Development and Transportation & Public Works Committees recommendation. Seconded.

Adopted upon a voice vote.

Samuels moved to further amend the report by adding thereto the following paragraph:

"e) Direct staff to include principles relating to construction related workforce and contractor diversity, housing, workforce opportunities, finance and community connections and participation for any City development agreement(s) with Ryan Companies, as fully set forth in the Department of Community Planning & Economic Development (CPED) staff report contained in Petn No 273109, passed by Council action on November 7, 2008." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 4/2/2010.

Comm Dev, T&PW & W&M/Budget - Your Committee, having under consideration the following recommendations of the Departments of Community Planning & Economic Development (CPED) and Public Works relating to City Community Garden Lease Agreement Standards, as follows:

- a) Passage of the accompanying resolution approving community garden lease agreement standards and delegating authority to the CPED and Public Works directors or their respective designees to enter into standard form City Community Garden Lease Agreements for the leasing of non-buildable and non-developable City properties for community gardens; and
- b) That the proper City officers be directed to prepare a Procedure Document consistent with the Minneapolis Contract Monitoring Procedures Manual prior to any execution of the subject agreement;

now recommends:

## Residence Area Characteristics Report - 2006 LED Data -

The following neighborhoods included in report:  
JORDAN, HAWTHORNE, WILLARD-HAY, NEAR NORTH,  
HARRISON, SUMNER-GLENWOOD,

close

print

save



Northside  
SKILLS

	Percent	Number	Metro %	Metro #
<b>Annual Average Earnings by Worker</b>	<u>Selection Stats</u>		<u>Metro Stats</u>	
<\$14,400	29.3	3144	20.2%	273,536
\$14,400-\$40,800	48.1	5166	34.2%	462,524
>\$40,800	22.6	2420	45.6%	615,753
Total	100.0	10730	100.0%	1,351,813
<b>Age of Worker</b>	<u>Selection Stats</u>		<u>Metro Stats</u>	
30 and under	34.1	3662	27.0%	364,520
31-54	53.1	5701	57.4%	776,016
55 and over	12.7	1367	15.6%	211,277
Total	99.9	10730	100.0%	1,351,813
<b>Workers by Industry of Primary Job</b>	<u>Selection Stats</u>		<u>Metro Stats</u>	
Agriculture, Forestry, Fishing and Hunting	0.1	6	0.2%	2,481
Mining	0.0	5	0.0%	345
Utilities	0.2	24	0.3%	3,909
Construction	2.9	313	4.4%	59,103
Manufacturing	11.0	1177	12.1%	164,063
Wholesale Trade	4.9	524	6.1%	82,821
Retail Trade	10.4	1115	10.9%	146,653
Transportation and Warehousing	3.5	377	3.2%	43,800
Information	2.4	253	2.6%	35,200
Finance and Insurance	5.1	545	6.5%	87,597
Real Estate, Rental, and Leasing	1.9	209	1.9%	25,494
Professional, Scientific, and Technical Services	5.8	617	6.9%	93,836
Management of Companies and Enterprises	3.6	389	4.4%	59,748
Admin, Support, Waste Management, Remediation	8.2	880	5.6%	75,084
Educational Services	8.3	888	8.4%	113,982
Health Care and Social Assistance	14.9	1597	11.7%	158,056
Arts, Entertainment, and Recreation	1.3	139	1.3%	17,179
Accommodation and Food Services	9.1	976	6.9%	92,591
Other Services (Except Public Administration)	4.6	496	3.3%	44,182
Public Administration	1.9	200	3.4%	45,689

<b>All Primary Jobs (including private and public)</b>	100.1	<b>10730</b>	100.0%	1,351,813
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<b>Commuteshed (Cities where workers are employed who live in the selected area)</b>				
	<i>Primary Jobs</i>	<i>Jobs in Goods Producing</i>	<i>Jobs in Transportation &amp; Utilities</i>	<i>Jobs in Other Services</i>
Minneapolis city	1798	103	246	1449
St. Paul city	385	34	34	317
Bloomington city	191	7	44	140
Plymouth city	183	80	30	73
Edina city	180	10	16	154
St. Louis Park city	161	20	28	113
Golden Valley city	128	39	28	61
Eden Prairie city	90	22	35	33
Minnetonka city	88	33	17	38
Brooklyn Park city	84	12	26	46



Source: US Census Bureau, LED Residence Area Characteristics Files (2006). Please note that Residence Area Characteristics are based on all **primary** jobs while Workplace Area Characteristics files are based on **all** jobs.



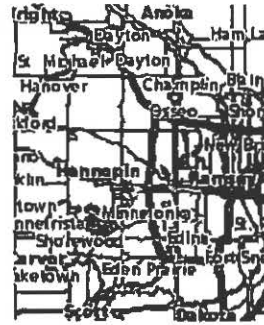
## Workplace Area Characteristics Report -2006 LED Data-

The following cities included in report:  
Hopkins Eden Prairie Edina St. Louis Park Minnetonka

close

print

save



Employment  
opportunities  
along  
corridor

	Percent	Number	Metro %	Metro #
<b>Annual Average Earnings by Job</b>	<u>Selection Stats</u>		<u>Metro Stats</u>	
<\$14,400	24.3	54497	24.6%	389,381
\$14,400-\$40,800	31.0	69490	32.5%	514,077
>\$40,800	44.6	99934	42.9%	678,573
Total	99.9	223921	100.0%	1,582,031
<b>Age of Job Holder</b>	<u>Selection Stats</u>		<u>Metro Stats</u>	
30 and under	28.5	63879	27.1%	429,183
31-54	57.5	128856	57.7%	913,103
55 and over	13.9	31186	15.2%	239,746
Total	99.9	223921	100.0%	1,582,032
<b>Jobs by Industry</b>	<u>Selection Stats</u>		<u>Metro Stats</u>	
Agriculture, Forestry, Fishing and Hunting	0.0	19	0.2%	2,693
Mining	0.0	16	0%	381
Utilities	0.0	15	0.2%	3,737
Construction	3.0	6694	4.5%	71,717
Manufacturing	11.6	26022	12.0%	189,471
Wholesale Trade	6.4	14409	6.0%	95,091
Retail Trade	14.9	33439	10.3%	163,015
Transportation and Warehousing	0.8	1860	3.0%	47,137
Information	2.2	4836	2.4%	38,383
Finance and Insurance	9.0	20155	6.1%	96,334
Real Estate, Rental, and Leasing	2.8	6282	1.9%	30,692
Professional, Scientific, and Technical Services	7.7	17297	6.7%	105,883
Management of Companies and Enterprises	5.8	13095	4.6%	72,618
Admin, Support, Waste Management, Remediation	7.5	16840	6.1%	96,487
Educational Services	4.8	10815	8.2%	130,078
Health Care and Social Assistance	11.3	25279	11.8%	186,067
Arts, Entertainment, and Recreation	1.1	2484	1.5%	22,862
Accommodation and Food Services	6.8	15139	7.7%	121,754
Other Services (Except Public Administration)	3.3	7405	3.5%	55,007

Public Administration	0.8	1819	3.3%	52,623
<b>All Jobs (including private and public)</b>	<b>99.8</b>	<b>223920</b>	<b>100.0%</b>	<b>1,582,030</b>

<b>Laborshed (Cities where employed workers in the selected area live)</b>				
	<i>All Jobs</i>	<i>Jobs In Goods Producing</i>	<i>Jobs in Transportation &amp; Utilities</i>	<i>Jobs in Other Services</i>
Minneapolis city	23447	2804	4488	16155
Eden Prairie city	14739	1913	3063	9763
Minnetonka city	10673	1099	2394	7180
Bloomington city	10538	1500	2000	7038
St. Louis Park city	9172	943	1931	6298
Plymouth city	8489	951	1848	5690
St. Paul city	7991	1171	1645	5175
Edina city	7592	641	1415	5536
Maple Grove city	5919	780	1265	3874
Brooklyn Park city	5115	1115	940	3060



Source: US Census Bureau, LED Residence Area Characteristics Files (2006). Please note that Residence Area Characteristics are based on all primary jobs while Workplace Area Characteristics files are based on all jobs.

# Attachment F

## FINANCE & COMMERCE

Bassett Creek Valley shows signs of life

Posted: 4:14 pm Tue, August 21, 2012

By Drew Kerr

PHOTOS:Edward Kraemer & Sons, of Burnsville, recently began work on an extension of Van White Boulevard that will connect to Dunwoody Boulevard. The project is part of a larger redevelopment planned at the 230-acre area north of Interstate 394 known as Bassett Creek Valley. (Staff photo: Bill Klotz); Ryan Cos. executive is 'bullish' on potential of area, cites future LRT station

More than a decade has passed since the city of Minneapolis began planning redevelopment <[http://www.minneapolismn.gov/cped/planning/plans/cped\\_basset-creek](http://www.minneapolismn.gov/cped/planning/plans/cped_basset-creek)> at Bassett Creek Valley, a 230-acre area west of downtown that leaders hope will someday offer a mix of transit, business, housing and green space.

The area hasn't seen any development yet, but a developer with an interest in the property said Tuesday that he remains "bullish" on the prospects — especially if a station for the Southwest Light Rail Transit line is built there.

Rick Collins, the vice president of development at Minneapolis-based Ryan Companies <<http://www.ryancompanies.com/>>, told the city's Community Development Committee on Tuesday that work to extend Van White Boulevard has raised the site's profile and that the prospect of a LRT station will make the site even more attractive.

Work on the Van White Memorial Boulevard extension<<http://www.minneapolismn.gov/cip/all/WCMS1P-080728>> — a \$22 million project that will create a long-sought north-south connection between Glenwood Avenue and Dunwoody Boulevard — began earlier this year and is expected to be finished by the end of 2013.

An eight-month study of a 13-acre area on the southwest corner of the site, known as Linden Yards West, is set to begin next month and will include a look at how a Southwest LRT station off Dunwoody Boulevard could fit on the site.

The Southwest LRT line is expected to enter the engineering phase next year and to be in service as early as 2018.

"The challenge up to this point is that the site hasn't even been considered because it's been consumed by piles of dirt and rubble," Collins said in an interview before the meeting. "It has not been on the radar, period."

The city uses the south side of the Bassett Creek Valley for an impound lot and outdoor storage. A relocation study has been completed by the city in anticipation of the changeover. The north side of the property is parkland.

Ryan has development rights for Linden Yards West through the end of 2015 and says the site could include hundreds of new rental or owner-occupied housing units as well as 750,000 square feet of new commercial space, built out in phases.



The firm has also expressed interest in finding a corporate tenant for what's known as Linden Yards East, a 10-acre area that sits in the southeast corner of the property.

Collins said the National Marrow Donor Program, UnitedHealth Group and Surly Brewing, which is looking for a home<<http://finance-commerce.com/2012/06/surly-narrows-its-focus-in-brewery-site-search/>> for its \$20 million brewery, have expressed interest in Linden Yards West though the discussions are no longer active. He said other possible users are now being courted, but declined to say which companies have expressed interest.

Collins said marketing the site has been complicated by the economic downturn but also because of plans to use the eastern site to store passenger rail cars. The storage would be needed if high-speed service from Minneapolis to Chicago is built, Hennepin County officials say.

If storage is added to the mix, development would have to occur on top of tracks holding rail cars. Pilings, noise and vibration dampening infrastructure and a four-level parking area would cost an estimated \$45 million, a county study determined.

Dean Michalko, an engineer with the county's Housing, Community Works and Transit office, said discussions about the rail storage have gone largely dormant since the high-speed rail line remains uncertain.

Concerns about hindering development and neighborhood opposition led council member Lisa Goodman to push for clarification on the likelihood the storage would be needed and when.

"If it's something that's going to be 25 years out, we should probably be looking at other sites, otherwise we're standing in the way of development," said Goodman, who represents the Bryn Mawr neighborhood.

Collins told city officials if uncertainty around the site causes him to miss an opportunity it could mean waiting another decade.

Despite the looming questions, Beth Grosen, a senior project manager with the Minneapolis Community Planning and Economic Development agency, said she is pleased with the recent progress that has been made.

"It's all seeming much more real now," she said.

Vida Ditter, who has lived in the area off-and-on since 1965 and is a member of the Bassett Creek Valley Redevelopment Oversight Committee, said she has learned to be patient while waiting for the area to evolve.

But the completion of Van White Boulevard is a significant milestone and could prove to be a catalyst for more rapid development, Ditter said.

"This in my personal view is a major step forward that will allow many other things to happen," she said.

## Community, officials clash over development plans for struggling Minneapolis neighborhood

by Bill Clements

Published: August 11th, 2011

Maren McDonell of north Minneapolis is mad.

The chairwoman of the Harrison Neighborhood Association sees the possibility that a vicious cycle of poverty and isolation in her neighborhood will repeat itself, and she can't keep quiet about it.

"I am angry because I'm a single parent of four kids, and they are talking about putting something in my community that will hurt my kids and my community for a long time," said McDonell, the mother of a son, 18, and three daughters — 16, 7 and 4.

She was referring to plans that the city of Minneapolis and the Hennepin County Regional Rail Authority are considering for building a commuter train storage — or "layover" — facility on the nearly 13 acres known as Linden Yards East.

Linden Yards east and west contain about 25 acres of unused, publicly owned land just north of downtown Minneapolis that everyone considers prime development property.

And it will become even more valuable if a station for the proposed Southwest light rail transit line is built there on what will be Van White Boulevard, a new street that will connect north and south Minneapolis when it's completed in 2013.

Planners say that a commuter train storage facility in that location is a "vital ingredient" in creating a jobs-rich passenger-rail system and running it into downtown Minneapolis. And they add that Linden Yards East is probably (though not yet officially) the best spot for the facility.

But McDonell and a host of other community and regional groups think there is a higher use for property as prime and valuable as Linden Yards, which is part of 230 acres known as Bassett Creek Valley that has long been largely industrial.

They envision a major redevelopment that includes office buildings and housing and the jobs and residents that come with them, all part of a long-overdue rebirth of Harrison, Bassett Creek and the broader north Minneapolis area.

"The redevelopment plans we are looking at would create 2,500 jobs and 500 new units of housing," McDonell said, anger draping her words. "We don't even have a McDonald's in our community where our youths can get fired from. This is about bringing faith and opportunity into this community."

Harrison Neighborhood Association Executive Director Larry Hiscock explained that "there's been a history of discriminatory planning in this community, and that sets the stage for future development."

The history here is represented by an image from a 1935 land-use planning map of Minneapolis that the Harrison Neighborhood Association found in a 1938 "citizen's guide" published by the Minneapolis Board of Education.

The image shows a circle around the blocks that form north Minneapolis, including Harrison, and the words: "Slum" and "Negro Section (largest in the city)."

McDonell's anger comes from knowing that the intention of city leaders and planners back in the 1920s



Maren McDonell is the chairwoman of the board of the Harrison Neighborhood Association, and Larry Hiscock is its executive director. They believe if Hennepin County and the city of Minneapolis build a commuter train storage facility in Linden Yards East (above), the project could well sentence the adjoining poor and mostly minority community of Harrison to another couple of generations of poverty and failure. (Staff photo: Bill Klotz)

and '30s to condemn north Minneapolis to poverty and isolation worked.

"I think this is about hope," McDonell said. "We want jobs and economic viability. With this facility coming, it's another way that the city and county will continue to oppress the community."

Phyllis Hill, lead organizer for Isaiah, a community justice group working with the Harrison neighborhood in opposition to the layover facility, agrees.

"The Harrison neighborhood is African-American and Somalis and Asian-Americans, and they've all come together on this — and I think that's very powerful. So why should the city turn their backs on that?"

The Bassett Creek redevelopment plan, which goes back more than 10 years, "is about changing the planning and zoning to create opportunity," Hiscock added.

"That's why Ryan Cos. is interested. They didn't show up to build a layover facility — they showed up to create jobs and housing and opportunity."

The city in 2008 granted Minneapolis-based commercial developer Ryan Cos. exclusive development rights for Linden Yards West through 2015. It has been tough going.

Rick Collins, vice president of development at Ryan, says the tough economy as well as thorny issues with the site itself make marketing the property difficult.

"We are trying to resolve these open issues so we can present a more complete picture to potential corporate users," Collins said, noting one recently expressed interest but quickly dropped out. "The reality is it's a complicated site that won't be complete until we can explain these open issues."

The thorniest of the issues is whether a commuter train storage facility will be built on Linden Yards East and, if so, can the kind of catalyzing redevelopment that the community wants be built on top of that facility.

Ryan is working with the city and the Hennepin County Regional Rail Authority and their consultants, St. Paul-based SEH, to analyze the technical and financial feasibility of creating a development above a train storage facility in Linden Yards East.

Although potentially costly, Collins believes that a good redevelopment can happen above a mostly closed-in train storage facility.

"Ryan's interests are aligned with the community's," he said. "Although we can coexist with a rail layover facility and the community would prefer it not be built there at all."

Beth Grosen, senior project coordinator in business development for the city's department of Community Planning and Economic Development, said that any significant movement on construction of a train storage facility is a long way off.

For now, Grosen advises the community to focus on "a more achievable vision" of redevelopment along Glenwood Avenue.

"There could be employment possibilities in the existing commercial properties along Glenwood — that's much more achievable in the next few years," Grosen said.

Hennepin County Commissioner Peter McLaughlin, head of the Hennepin County Regional Rail Authority, emphasized that nothing will be happening for a while.

"Let's face it, the Bassett Creek redevelopment plan didn't get implemented when the economy was booming," said McLaughlin, who has met with the community several times and will continue to. "What the community wants to do is going to take an enormous amount of resources, and this [project] hasn't risen to the top."

But, McLaughlin added, at some point in the future "the combination of the real estate market and rail investment will make this a desirable site — it'll be a good place for the kind of development the community wants."



# StarTribune

## Can development, idling diesel trains coexist?

Article by: STEVE BRANDT

Star Tribune

November 2, 2010 - 10:33 PM

In a glacial river valley west of downtown Minneapolis, a long-neglected banana-shaped parcel of land is suddenly at the center of potentially competing interests.

The city now uses the 25 acres along Interstate 394 to crush concrete, recycle asphalt and store things ranging from extra garbage carts to streetlight poles.

A master plan for the surrounding Bassett Creek area envisions offices and some housing for the parcel, known as Linden Yards from its past railroad use. Although construction is likely to be years away, developer Ryan Companies is working on crafting a proposal, with strong backing from the adjacent Harrison neighborhood.

But the eastern third of the yards also is being eyed by Hennepin County as a possible site on which to eventually park commuter trains between runs.

Although Ryan says that could help its development plans, Harrison activists are voicing fears that the rail use could trim the number of jobs and housing units, and the neighborhood needs both; 37 percent of its population was below the poverty level in 1999.

"We have some grave concerns about heavy rail layover," said Vicki Moore, a Harrison resident who has played an active role in redevelopment plans. "You can't keep continuing to dump stuff in north Minneapolis."

The county has actively promoted and planned for a variety of rail lines that are expected to converge near Target Field, although it won't construct or own them. Preliminary studies for the county have identified either Linden Yards or nearby Cedar Yards as the best sites for commuter or inter-city trains to layover.

The county also sponsored planning studies for the proposed Southwest light-rail line in an effort to better connect stations and their surroundings. Plans include a stop at Linden Yards, where the soon-to-be-constructed Van White Boulevard will pass over railroad tracks and Bassett Creek. Sketches so far envision development initially on the west half of Linden Yards and the rail layover yard as a long-term option on the downtown end.

The neighborhood calculates that using it for trains instead of including it in Ryan's development could cost 1,800 to 2,800 jobs. That alarms neighborhood leaders, even though consultants suggest that the rail yard could be topped with a level or two of parking and then offices or housing above that.

Neighborhood staffer Larry Hiscock said residents fear it's too speculative to draw plans for rail yards without knowing whether development above is physically or financially feasible and on what timetable. They want the feasibility of such stacked development over idling diesels studied first.

So Ryan and the city have sought from the Metropolitan Council a \$100,000 grant for such a study. The same broad flat glacial plain that made the area attractive as a route for early railroads contains boggy soil that increases the challenges for constructing buildings.

County officials say that if a rail yard is built, it would make sense to build in extra support for potential development overhead. How quickly such a rail yard would be needed depends on how fast proposed rail service to Chicago and Duluth, and additional commuter trains similar to the Northstar line, materialize.

The rail yard would cost an estimated \$11 million and could reach \$30 million if maintenance facilities are added, according to a

28

preliminary study.

Although Rick Collins, a Ryan vice president, said that development could go ahead in the area with or without a rail yard, he sees a boost to the area's development potential if trains are stored there. One reason is that the site has a low elevation, and putting in the rail yard and perhaps a parking level or two would raise it above nearby freeway ramps and an electrical transmission line, making it more marketable. Moreover, the rail yard might bring funding that could help offset the increased cost of supporting buildings above it, Collins said.

Making a decision on whether to place the rail yard in Linden Yards is important, because it would reduce uncertainty when Ryan tries to line up potential corporate tenants for its development. Collins said that Ryan is probably several years from being able to break ground because of uncertainty over rail facilities and general market conditions. The County Board is scheduled to get an update on transit plans Nov. 18.

Steve Brandt • 612-673-4438

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**Marnie Jacobsen**  
<marnie07@gmail.com>

12/31/2012 05:33 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject DEIS Public Comment

I strongly support the Kenwood Isles Area Association response to the SW Transitway DEIS.

I have thought the whole idea of running the line through this area is terribly misguided, and the idea of a station near the narrow, winding streets of this residential neighborhood makes no sense to me. I think there will be relatively few passengers & great disturbance, not to mention the increased safety issues that already are a big concern near Hidden Beach.

I live very close to the current rail line, & I also frequently use the Kenilworth Bike trail. I am especially concerned with the impact of noisy trains running at all hours and the destruction of the naturalness of the area. I find it terribly depressing even to contemplate.

I urge the highest level of mitigation be performed so that this neighborhood is not destroyed.

Marnie Jacobsen

D

12

05



Lori Schmeling  
<lorielizabeths@gmail.com>

12/31/2012 05:33 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject SW Light rail

We are deeply concerned about the noise, vibration and pollution of the SW light rail system. We know the city needs a light rail system for it's future growth. Our concern is the negative impact building a bridge would have in an area of the city that has natural landscape and beauty. The city has chosen the least expensive option instead of the routes which were more populated assuring higher usage of the system. Worse, it seems there is no concern of the environmental impact along the proposed route.

Part of what makes our city unique is it's parks, paths and natural beauty. If the city refuses to change the current proposed route, then we strongly believe a tunnel is the best option at this intersection, not only for environmental reasons, but to uphold the beauty and integrity of our city!

Sincerely,  
Lori and David Schmeling  
3 Park Lane  
Minneapolis

E4

N1,  
N2





John Nicklow  
<janick01@gmail.com>

12/31/2012 05:56 PM

To Swcorridor@co.hennepin.mn.us

cc

bcc

Subject Santorini and the new light rail in the south west corridor

As owners of Santorini Restaurant, we would like to express our grave concerns about being able to conduct our business and survive the construction of the Light Rail System in our area. The parking, as it is right now, poses challenges to our customers. Combine that with the appropriation of parking spaces that presently exist, construction and altering traffic patterns around us, our customers will choose to avoid the congestion, construction and uncertainty, and dine elsewhere.

P5

We are a small family business with a lifetime of love, long arduous hours of work, and hard earned investment dollars, all riding on Santorini.

We would like to open the conversation with you about remedies for the dire consequences this poses for a business and our future.

L1

My father and I look forward to meeting with you soon.  
Sincerely,

John Nicklow

cell: 612-353-7355

Anthony Nicklow

cell: 612-710-9401



Faith Cable Kumon  
<Kumon@smithpartners.com>

12/31/2012 07:06 PM

To "swcorridor@co.hennepin.mn.us"  
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Southwest DEIS comments

Please include the following comments on the Southwest DIES, prepared on behalf of the Midtown Community Works Partnership (MCW).

The MCW Partnership supports the 3A option for the Southwest LRT and has significant concerns about the co-location of freight rail in the Kenilworth corridor.

D

The MCW Partnership supports the 3A option because of the potential impacts to the Midtown Greenway trail posed by 3C and because the Partnership believes that a Midtown Streetcar would be a preferable transit option in the Midtown Greenway. As noted on pages 3-59 and 6-59, the construction of the LRT through the Midtown Greenway could cause problems for the existing pedestrian and bicycle trail, requiring the trail to be reconstructed at street level. The designs for the 3C options are particularly problematic for the Midtown Greenway trail users at Nicollet Avenue who would have to go up a ramp, cross Nicollet at grade, and down another ramp. The 3C options are also less desirable because they would not provide a connection along the Midtown Greenway to the Hiawatha LRT line. A future Midtown Streetcar could provide a continuous connection from the Southwest LRT to the Hiawatha LRT as well as all of the destinations along the Lake Street – Midtown Greenway corridor.

A

The co-location option, 3A-1, is problematic at West Lake Street for existing bicycle and pedestrian connections as well as for future transit. The freight rail relocation segment (page 3-60) will remove the at-grade crossing along the Southwest bike trail will improve the experience for existing bicyclists but more importantly, it will also improve the pedestrian and bicycle experience when accessing the West Lake Station. Although not mentioned in this section of the DEIS, the freight rail relocation will create enough space for a future Midtown Streetcar to connect at the West Lake Station.

D

The land use assumptions, while generally good, make some assumptions that may not reflect the current state of best practice research. Page 5-18 states that the implementation of LRT and the accompanying reduction in bus service may reduce TOD development potential. This generalization that TOD potential is reduced from a change in transit service from a slower bus service to a faster LRT service with fewer stops is not logical nor is it supported by evidence from other cities across the country.

M1

The Midtown Alternatives Analysis began in late 2012 to study the Lake Street and Midtown Greenway corridors for improved transit service. The work of this study should be acknowledged in the Final EIS as it moves forward.

P1

Best,

Faith Cable Kumon  
smith  
partners

PLLP

400 Second Avenue South

Suite 1200

Minneapolis, MN 55401

(612) 344-1400 Office

(612) 344-1550 Fax

[www.smithpartners.com](http://www.smithpartners.com)



"nora@rushs.com"  
<nora@rushs.com>  
12/31/2012 07:43 PM

To <swcorridor@co.hennepin.mn.us>  
cc  
bcc  
Subject Please reconsider segment

Please reconsider the proposed SW LR route on how it should enter Mpls and go downtown.

The current proposal has several elements that should sway the decision to use the greenway or other path and not go through Cedar Lake/Kenwood.

D

The Regional Parkland has been so successful that adding the LRT will hurt the use and enjoyment of the area.

Having 250 trains go by each day is going to decrease the value and tax revenue of a very profitable neighborhood for Mpls.

Either a fly-over bridge or a tunnel at the Cedar Lake Parkway would be extremely expensive and will not add to rider-ship.

E8

The placement of a station at W. 21st street is ridiculous at best, mind boggling to say the least. How many riders will it pick up and where will those cars park???

I2

The Excelsior/ Lake St area is already over used and can not handle any more traffic. We have lived in this neighborhood for over 35 years and the back-up on Highway 25 (aka Hiway 7) going east and Lake St going west is significant currently. More riders, and thus parkers, will make this a horrible area. This will take away from the value of the properties, the revenue of the stores in Calhoun Commons and Calhoun Village.

There are much more densely populated areas and more diverse incomes if the route would go through the midtown greenway.

E0

Please reconsider with an open mind the true cost of destroying the regional park, the Cedar Lake beach area and the stations at areas that can not support the parking of cars at the level needed to make the line successful. Please look at how much more good it would do to use the next alternative route through the greenway!!!!

N1

G1

Some say this decision has already been made, but I am hopeful that the bright minds of those working on this project will look carefully at the true and long term soft costs of running the line through Cedar Lake area.

Thank you for your time.  
Nora Whiteman





Elizabeth Kilburg  
<ekilburg@mac.com>  
12/31/2012 08:26 PM

To swcorridor@co.hennepin.mn.us  
cc  
bcc  
Subject SWLRT

We have been long-term supporters of public transit and welcome our community's development of LRT connections of the suburban metropolitan area and the Minneapolis core.

A

As residents of the Cedar Isles Dean neighborhood, we have an interest in the proposed SouthWest LRT. In particular we have concerns about the intersection of the light rail track and Cedar Lake Parkway. The current rail crossing in conjunction with the Grand Round bike and pedestrian pathway, as well as the parkway, already presents a dangerous confluence of traffic. The addition of the number of LRT crossings that you propose will make this intersection far too congested and a tragedy waiting to happen. We have also seen the proposed overpass, which is visually offensive and would be a major eyesore to the historic Grand Round, the gem of Minneapolis. The lakes and the connecting lagoon as well as the Grand Round are prized and heavily used by the citizens of Minneapolis and the entire metropolitan area.

E8

N2,

We feel that the overpass is an unacceptable option aesthetically and the at-grade crossing is dangerous. We have had the opportunity to review the Minneapolis Park Board's response and their proposal for a below-grade crossing. The option that is safe, seemingly not more expensive, and the least destructive of the historic Grand Round, Cedar Lake, and surrounding parkland is without question below grade with either a trench or tunnel.

E8

N2

Elizabeth Kilburg

Louisa Castner

15 Park Lane  
Minneapolis, MN



Doreen Pearson  
<doreen.pearson@gmail.com>

12/31/2012 09:19 PM

To "swcorridor@co.hennepin.mn.us"  
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Comment on DEIS SWLRT

From:

Doreen Pearson  
2706 Yosemite Ave S  
St. Louis Park, MN. 55416  
952-922-5800  
Doreen.Pearson@gmail.com

To whom it may concern,

In understanding what I do know about the SWLRT it appears the processes followed by our own Hennepin County Commission has been flawed in the very least, corrupt is probably more accurate. I won't bore you with the facts as many comments have already detailed them better than I could.

C  
L2

My concern is the re-routing of large freight rail from the Kenilworth corridor, where they currently operate, to a small rail line here in St. Louis Park. This little rail line operating on average of 8-10 car trains 3 to 5 times a day going less than 15 mph is currently what we know and accept. We already have a concern for our schools near the rail line (5) with the current rail. To think that freight rail 10 times the size is even being considered is ludicrous. There are many more negative impacts to our community, as in homes near the tracks, our local merchants affected, decline in value of homes and business's, and safety. Albeit mitigation is not there, it should be, this re-route should not be an option. Period.

C

While sitting in at a session in the government building downtown Minneapolis two elderly gentlemen spoke that they thought the current SWLRT is not looking to the future. This thinking has some merit. It appears the current SWLRT is only for the business commuter, from Eden Prairie to downtown Minneapolis there are no stops of places of interest only stops for commuters. The negative impact on the environment clearly out weighs the positive of SWLRT as is currently designed.

It would be most beneficial to bring this back to the drawing board.

Kind regards,  
Doreen



debbielarry@comcast.net  
12/31/2012 10:01 PM

To s  
cc  
bcc

# See Comment #630 for Theme Delineations for KIAA attachment

Subject Comments on the Draft DEIS for the Southwest LRT

To Whom It May Concern--

I am writing to add my comments on the Draft DEIS for the Southwest LRT project. Being a Kenwood resident I have followed the issue for many years and recognize the impacts (both positive and negative) the rail line could have on our neighborhood. I am a member of the Kenwood Isles Area Association (KIAA) board and have been very involved in composing that group's response to the DEIS. I attach those comments at the end of this note for reference and to lend my voice of support to them. In addition, I would like to comment on three specific elements of the project that are of particular interest to me.

**1. Effect To Land Use and Socioeconomics (Section 3.1.5.1).** The report states "Implementation of LRT service and stations along the Segment A alignment would likely result in some land use changes surrounding the stations, particularly north of the lakes where tracts of undeveloped land are being considered for development." The reason there are tracts of undeveloped land in this area is because it is a park. People have worked for many years to reclaim a former rail yard to create a large park, complete with walking and bike trails, within a few miles of downtown Minneapolis. I do not believe the LPA makes sense in so many ways, but if the LRT is to come on this alignment I believe it should pass with as little impact on a natural space many people have worked very hard to create and maintain. Areas north of I-394, near the cement crushing area and behind Bryn Mawr Fields may hold development possibilities, but the land in Cedar Lake Park south of I-394 should maintain as much of its park character as possible.

E1  
E10

M1

**2. Proposed Cedar Lake Parkway Overpass Bridge.** Appendix F, Conceptual Engineering Drawings (page 54) shows a new bridge spanning Cedar Lake Parkway to separate the LRT line and the road. The illustration shows a nearly 5% grade, both up and down, with the bridge reaching a height of nearly 25 feet (apparently). I agree that, with the volume of traffic and the importance of that road for various neighborhoods, that LRT and Cedar Lake Parkway should be separated. But a bridge of that size would drastically change the character of the neighborhood for the worse and potentially reduce the value of homes that are in proximity to the bridge. In addition, a public beach is within 50 yards of that intersection and, while the bridge may increase safety (which I am not convinced of) it will ruin another piece of the Minneapolis park system. While many argue that parks should not take precedent over people, the parks of Minneapolis are a significant asset and a reason people choose to live and visit the city. I strongly urge further investigation in separating LRT and Cedar Lake Parkway, possibly by trenching the LRT at that point or depressing the rail line and having the road extend over it.

E8

S1

**3. Colocation of the freight rail and LRT in the Kenilworth Corridor.** I wholeheartedly agree with the findings throughout the report that show that colocation of the freight line with LRT is not an appropriate approach. The biggest problems for that approach are of the portion of the line between the West Calhoun station and 21st street. As the report points out, it seems the only way to make colocation work is to remove 57 townhomes and displace their residents. Ignoring for a minute the possible financial hardship some of these people may experience, the

D

E1

city of Minneapolis loses current and future property taxes. As a Minneapolis resident, I cannot abide the city losing tax revenues in order for this line to become a reality. I also do not believe the neighborhood should endure both a new LRT line and freight line. As I said, I do not believe the current LPA is in the best interests of the city of Minneapolis, but if it is indeed the LPA then the neighborhoods through which it runs should not have to experience both the increased freight rail traffic and the new LRT traffic.

M2

D

There are many other issues that concern me with the alignment considered with the LPA, but the KIAA response does a very good job in addressing them. For that reason, I am attaching those comments to mine and hope you will consider them as an integral part of my response to the Draft DEIS.

I support increased public transportation options, and hope the Southwest LRT can be implemented in a way that is beneficial for all communities along the line, including the city of Minneapolis. In order for that to happen, however, a number of issues need to be addressed and resolved to the satisfaction of everyone that lives along the proposed line.

Thank you for the opportunity to comment on the Draft DEIS.

Sincerely,

Larry Moran  
2205 Oliver Avenue South  
Minneapolis, MN 55406



# **Kenwood Isles Area Association**

## **Response to the Southwest Transitway**

### **Draft Environmental Impact Statement**

#### **Overview and Summary**

Bordered by the Kenilworth Trail and Cedar Lake Park to the west and Lake of the Isles to the east, the Kenwood Isles Area Association (KIAA) represents 1,414 citizens in 589 housing units (2010). Kenwood residents value the neighborhood's historic homes, our proximity to downtown and Uptown, and especially Minneapolis' unique park, lake, and trail system.

More than a mile of the 15 miles proposed for the Southwest Transitway LRT 3A (LPA) line passes through Kenwood. Two of the proposed stops would be part of our neighborhood, 21<sup>st</sup> Street and Penn Avenue (shared with Bryn Mawr).

After the release of the Draft Environmental Impact Statement (DEIS) on October 12, 20012, KIAA developed a draft response. To solicit input on this response, KIAA posted the draft on our website. We then held board meetings on November 5<sup>th</sup> and December 3<sup>rd</sup> focused primarily on the DEIS response. Both meetings were well attended by 25-35 individuals. Our annual fall newsletter, mailed to every Kenwood household in mid-November, centered on the DEIS and requested input by e-mail for those who could not attend our meetings. This newsletter was also sent to all e-mail addresses on our neighborhood list. The KIAA response to the SWLRT DEIS reflects this comprehensive outreach.

The DEIS articulates a number of environmental impacts to our neighborhood, but overlooks several others. If the SWLRT is to be built, we are pleased to see that the DEIS supports relocation of freight rail from the Kenilworth Corridor and affirm all the reasons given in the document. Kenwood citizens are appalled by the prospect of the Kenilworth Corridor being the route of **both** the LRT **and** freight rail.

We support excellent, context-sensitive design and mitigation for all communities affected by this project. Without the highest design standards and excellent mitigation, the environmental impacts in Segment A of the 3A (LPA) alignment – especially those related to noise, visual effects, and safety – will greatly affect the livability of our neighborhood, as well as adversely impact unique urban assets that benefit visitors from around the region (the Kenilworth Trail and Cedar Lake Park). Our concerns focus on the following:

## **1. Preserving our unique cultural and natural heritage**

- We oppose land use changes beyond what is necessary for the LRT; existing park, trail and open green space should be preserved to the greatest extent possible. (3.1.5.1, page 3-34)
- There are important historic preservation issues related to the proposed SWLRT. KIAA looks forward to contributing as a consulting party to the Section 106 Review process. (3.4.5, Page 3-79)
- KIAA asserts that a bridge over Cedar Lake Parkway would have unacceptable visual and noise impacts. We request a feasibility study of depressing, trenching, or tunneling the LRT. (3.6.3, page 3-115)
- A bridge over Cedar Lake Parkway likely violates Shoreland Overlay District zoning requirements. (3.6.3, page 3-115)
- Cedar Lake Park and the Kenilworth Trail provide important wildlife habitat and environmental learning opportunities for both children and adults. KIAA urges design measures that would benefit biota and habitat. (4.3.5, page 4-53)
- The area for the proposed SWLRT currently has very low ambient noise levels. KIAA insists on the highest standards of design to mitigate noise impacts. (4.7.3.5, 4-92)

## **2. Safeguarding the safety and enjoyment of park and trail users**

- Cedar Lake Park and the Kenilworth bicycle and pedestrian trails are regional assets. With well over 600,000 discrete annual visits, they

are heavily used by local residents and people from throughout the metro area. (3.6.2.4, page 3-104)

- KIAA expects the City of Minneapolis' Resolution 2010R-008 will be respected. It asserts that the current environmental quality, natural conditions, wildlife, urban forest, and the walking and biking paths must be preserved and protected.

- Substantial visual effects on trail users documented in the DEIS must be mitigated with well-designed landscape and hardscape elements, including land berms and evergreens. (3.6.3, page 3-115)

- This DEIS does not consider impacts of light pollution on park and trail users. (3.6.5.3, page 3-123)

- KIAA insists that the Minneapolis and MPRB Police be consulted on security issues related to the impact of a proposed station at 21<sup>st</sup> Street related to Cedar Beach East (Hidden Beach). An inadequately managed station would increase opportunities for illegal behavior. (3.7.2, page 3-129)

- KIAA requests that the Minneapolis Fire Department, MPRB Police, and emergency medical responders be consulted in development of safety and security plans, especially for Cedar Lake Park and Cedar Beach East (Hidden Beach). (3.7.3.3, page 3-131)

- The adequacy of existing hydrants and other emergency infrastructure needs examination.

(3.7.3.3, page 3-131)

- KIAA insists on the highest standards of design to mitigate noise impacts on trail users. The current experience of the trail is as a peaceful urban retreat. (4.7.3.5, page 4-92)

- KIAA expects that if safety fencing is used, it be integrated into an overall landscape design that includes land berms, evergreens, deciduous trees and shrubs, and hardscape elements. (6.3.2.4, page 6-58)

- We expect high aesthetic standards for screening to reduce visual impacts of Traction Power Substations (2.3.3.6, page 2-50)

### **3. Maintaining the quality of life of residents**

- A station stop at 21<sup>st</sup> Street with 1,000 people daily boardings will greatly change the character of this neighborhood. We insist on a study of traffic and other impacts of the station on the neighborhood. (Table 2.3-4, page 2-32)
- We expect consultation with the community on Traction Power Substation placement and screening plans. (2.3.3.6, page 2-50)
- Contrary to the DEIS assertion, there will be a significant impact on community cohesion given the change from slow, infrequent freight trains to high speed LRT trains that will pass homes, parks, and trails every few minutes from 5:00 a.m. to 1:00 a.m. (3.2.2.6, page 3-58)
- Substantial visual effects on residences will occur, as well as adverse privacy impacts to indoor and outdoor living areas, and must be mitigated. (3.6.3, page 3-115)
- Although the DEIS states otherwise, without explanation or verification, the proposed station area at 21<sup>st</sup> Street will have substantial visual impacts on nearby residences. This was pointed out during the DEIS scoping period. (3.6.3, page 3-117)
- This DEIS does not consider impacts of light pollution on homes near the station. The effects of engine lights, station lighting, and any other lights must be taken into account and remediated. (3.6.5.3, page 3-123)
- KIAA requests that the Minneapolis Fire Department, Police Department, and emergency medical responders be consulted in development of safety and security plans, especially for the 2000 block of Upton Avenue. (3.7.3.3, page 3-131)
- We appreciate that this DEIS points out substantial noise impacts that the SWLRT will have on our neighborhood and residents. Planners must not allow noise to destroy a quiet park and stable urban neighborhood. KIAA insists on the highest standards of design to mitigate noise impacts. (4.7.3.5, page 4-92)
- During the scoping period, residents showed that new construction in the 2500 block of Upton Ave. S. along the Kenilworth Trail required extra deep footings because the ground propagates vibrations to the detriment of structures. The DEIS did not address this issue. KIAA requests that detailed vibration assessments be done as early as possible to determine adequate mitigation measures. (4.8.6, page 4-118)



#### **4. Ensuring the tranquility and functionality of proposed station areas**

- In accordance with City of Minneapolis policy and to protect neighborhood livability, KIAA opposes a park-and-ride lot at 21<sup>st</sup> Street. (Table 2.3-4, page 2-32)
- To improve safety of park and trail users, we request consideration of a split platform at the 21<sup>st</sup> Street station as proposed by the Cedar Lake Park Association design charrette of November 2010. (Table 2.3-4, page 2-32)
- This DEIS points to severe noise impacts from a station at 21<sup>st</sup> Street. KIAA insists on the highest standards of design to mitigate noise impacts. (4.7.3.5 Assessment Page 4-92)
- MPRB Police absolutely must be consulted on security issues related to a proposed station at 21<sup>st</sup> Street. An inadequately managed station would increase opportunities for illegal behavior, which has been a long-standing problem at Cedar Beach East (Hidden Beach). (3.7.2, page 3-129)
- Groundwater and drinking water must be protected. KIAA requests information about how this will be done. (4.1, pages 4-19, 4-21)
- There is a great deal of landfill around Cedar Lake. KIAA needs assurance that contaminated soils will be dealt with appropriately during construction. (4.9.5, page 4-129)
- KIAA does not support changes in land use (development) near the 21<sup>st</sup> Street station. We expect parkland, trails, and green space to be protected for future generations. (5.2.5.1, page 5-21)
- A station area at Penn Avenue will have a significant impact on Kenwood residents. KIAA expects to be consulted on station area design and mitigation of impacts.

KIAA strongly urges all actors involved with the SWLRT to establish the highest standards of design and mitigation for this project. Design measures that may be considered “betterments” by agencies outside of our community are justified by the disproportionate adverse environmental impact to residential and green spaces compared to the more commercial or industrial areas

along the line. Such measures are required to ensure that the proposed SWLRT will not substantially harm, and may even enhance, our community.

## **Detailed Comments, Chapters 2 - 6**

### ***Chapter 2: Alternatives Considered***

#### **2.3 Draft EIS Alternatives**

##### **2.3.3 Build Alternatives**

###### **Table 2.3-4, page 2-32, Stations**

This table shows a station at 21<sup>st</sup> Street: At-grade, with center platforms, and a surface parking lot with room for 100 cars.

**Comment:** Minneapolis officials have informed the Kenwood Isles Area Association that a park-and-ride facility at the proposed 21<sup>st</sup> Street station would be contrary to the City's policy. We support this policy and oppose a parking lot at 21<sup>st</sup> Street. A parking lot would not be consistent with the quiet residential character of the neighborhood and would require destruction of wooded land or open green space adjacent to the Kenilworth Trail and Cedar Lake Park.

**Comment:** To improve safety of park and trail users, and possibly to reduce noise impacts, we request consideration of a split platform at the 21<sup>st</sup> Street station as proposed by the Cedar Lake Park Association design charrette of November 2010. (Table 2.3-4, page 2-32)

**Comment:** We expect a complete analysis of the traffic impacts of this proposed station on our neighborhood. A previous study projected 1,000 riders per day boarding at 21<sup>st</sup> Street. Given the low-density housing, the geography (much of the half-mile radius around the proposed station is either parkland or lake), and street lay-out of Kenwood, we conclude that either the figure of 1,000 riders per day is wrong, or our neighborhood will see tremendous change in traffic load. Such changes should be understood, planned, and managed. (Southwest LRT Technical Memo No. 6, Ridership Forecasting Methodology and Results, Preliminary for Review Only, September 9, 2009. We were unable to locate updated data in the DEIS.)

### 2.3.3.6 Traction Power Substations, page 2-50

TPSSs would be included at approximately one-mile intervals along the Build Alternatives to supply electrical power to the traction networks and to the passenger stations. ... The TPSS sites would be approximately 80 feet by 120 feet. The proposed general locations for TPSSs are shown in Appendix F. The proposed sites were located to minimize impacts to the surrounding properties; however, the site locations are subject to change during Preliminary Engineering and Final Design. TPSS sites are selected to meet a balance of safety, reliability, cost, and operational efficiency needs.

**Comment:** KIAA notes that in Appendix F, a TPSS is proposed just south of the Burnham bridge on the west side of the trail. This will impact trail users as well as adjacent residences. If this site is retained, we insist that designers work with KIAA and adjacent residents to adequately landscape and screen this facility.

## **Chapter 3: Social Effects**

The Kenwood Isles Area Association has a number of concerns regarding the Social Effects of the proposed SWLRT project. Specifically, the train will travel through a quiet, park-like area used for bicycling and pedestrian trails, adjacent to Cedar Lake Park and Cedar Beach East (Hidden Beach). These community assets were created more than 20 years ago through citizen initiative, and have been developed and maintained by volunteers and public entities since then. Further, the line will pass by quiet, stable residential areas that have seen significant private investment in the maintenance or improvement of the housing stock in recent years. We especially point to effects on land use, community cohesion, visual and aesthetic effects, and safety and security.

### **3.1 Land Use and Socioeconomics**

#### **3.1.5.1 Effects to Land Use and Socioeconomics, page 3-34**

In Minneapolis, land use changes are anticipated along each of the planning segments. Residential land uses surrounding the Segment A alignment are mainly low- to medium-density, single-family detached housing near Cedar Lake and Lake of the Isles. [...] Implementation of LRT service and stations along the Segment A alignment would likely result in some land use changes surrounding the stations, particularly north of the lakes where tracts of undeveloped land are being considered for development.

**Comment:** While we support consideration of redevelopment within the Basset Creek Valley area, the Kenwood community has expressed the priority that existing park, trail and open green space in the Kenilworth Corridor between Lake Street and I-394 absolutely must be preserved to the greatest extent possible. The existing land use represents an important neighborhood, city, and regional asset. The City of Minneapolis' Resolution 2010R-008 by Colvin Roy entitled "Supporting the Southwest Transitway Locally Preferred Alternative" reflects this priority:



“Be It Further Resolved that the current environmental quality, natural conditions, wildlife, urban forest, and the walking and biking paths be preserved and protected during construction and operation of the proposed Southwest LRT line.

Be It Further Resolved that any negative impacts to the parks and park-like surrounding areas resulting from the Southwest LRT line are minimized and that access to Cedar Lake Park, Cedar Lake Regional Trail, Kenilworth Trail and the Midtown Greenway is retained. “

KIAA expects that zoning in the area will remain R1 and R2 with the exception of the R4 and R5 areas south of Cedar Lake Parkway, and Shoreland Overlay District restrictions will be respected.

### 3.2 Neighborhood, Community Services and Community Cohesion Impacts

#### 3.2.2.1 Neighborhoods, p.3-49 – 3-52

##### Minneapolis

Each Build Alternative would operate through several geographically defined neighborhoods in the City of Minneapolis.

**Comment:** While the proposed LRT 3A (LPA) route would travel through the defined boundaries of nine Minneapolis neighborhoods, it will have the greatest impact on Kenwood, CIDNA, and West Calhoun due to the geography and existing land use of the area. The Kenilworth Trail and Cedar Lake Park – vital local and regional amenities – are both part of the Kenwood neighborhood, with the Kenilworth Trail continuing through CIDNA and West Calhoun. (Please note that the DEIS description of Kenwood includes areas that are actually part of CIDNA.)

### 3.2.2.6 Neighborhoods and Community Cohesion, page 3-58

#### Segment A [LRT1A and LRT 3A (LPA)] and Freight Rail Relocation

However, the operation of LRT service along Segment A is not anticipated to adversely affect community cohesion because Segment A is currently bisected by a freight rail line and adding LRT service does not alter the existing barrier. [...] The operation of LRT service along Segment A is not anticipated to adversely affect community cohesion.

**Comment:** Kenwood residents find this statement absurd. The infrequency and slow speeds of the current freight trains means tracks are easily crossed, as evidenced by the many informal pathways across the tracks that provide access from residences to parks, trails, and retail stores. LRT, on the other hand, would run every 7.5 minutes in each direction at high speeds. This change clearly alters the existing linkages within and among neighborhoods. Also, the Kenilworth trail now functions as a community connector where neighbors meet in a recreational context. So while KIAA agrees that new transit services and linkages would become available to neighborhood residents, we completely disagree that there would be no adverse impact on community cohesion.

### 3.3 Acquisitions and Displacements/Relocations

#### 3.3.3.3 Build Alternatives, Page 3-70

LRT 3A would require almost twice the number of parcels LRT 1A. LRT 3A-1 (co-location alternative) would require almost three times the number of parcels as LRT 1A.

**Comment:** KIAA requests that the 79 individual commercial and 11 residential properties proposed for acquisition be identified. As stated in our Resolution Opposing Co-Location (see attached) KIAA opposes the taking of Cedar Shores Townhomes and other Minneapolis residences for the co-location alternative.

### 3.4 Cultural Resources

#### 3.4.5 Cultural Resources - Long-Term Effects, Page 3-79

Architectural properties in Segment A which are listed in or eligible for the National Register include seven individual properties and five historic districts. The segment also includes three individual architectural properties and one historic district which are under evaluation for eligibility.

**Comment:** The Kenwood Isles Area Association looks forward to contributing as a consulting party to the Section 106 Review process. We urge SWLRT designers and engineers to adopt the highest design standards to protect our local, regional, and national cultural assets including, but not limited to, Cedar Lake Parkway and the Historic Grand Rounds.

### 3.6 Visual Quality and Aesthetics

#### 3.6.2 Existing conditions

##### 3.6.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location)], page 3-104

Segment A is located on existing rail ROW owned by HCRRA that is currently used as a pedestrian and bike trail and parallels existing freight lines (Photo 3.6-4). The corridor travels through the Cedar-Isles-Dean and Kenwood neighborhoods, the Minnesota Chain of Lakes Regional Park, and travels between a pair of lakes (Cedar Lake and Lake of the Isles) in Minneapolis. Land uses adjacent to the segment between West Lake Street and I-394 include transportation uses for freight, parkland, and single- and multi-family residential land uses.

**Comment:** In addition to the land uses listed above, please note the heavy use of bicycle and pedestrian trails along the Kenilworth Corridor. Bicycle commuting constitutes a significant portion of this use. According to information provided to the Minneapolis' Park and Recreation Board's Community Advisory Committee, the Kenilworth Trail received 617,000 visits in 2009 and use has only grown since then. The Regional Park Visitor Survey 2008 indicates that 63% of these visits were non-local, meaning that more than six out of ten users came from outside of Minneapolis.

### 3.6.3 Long-Term Effects, page 3-108

#### Segment A [LRT 1A and LRT 3A (LPA)], page 3-115

Visual impacts on sensitive receptors located at single-family and multi-family parcels throughout the corridor would generally not be substantial because of mature vegetation buffers and the presence of an existing freight rail corridor. Visual impacts may be substantial where the alignment is not screened by vegetation. Visual intrusion and privacy impacts of the project elements on the sensitive receptors may be substantial where views from the alignment into previously private spaces are created. Visual intrusion and privacy impacts on the outdoor living areas of residential properties could be substantial where vegetation or landscape buffers do not exist.

**Comment:** Much of the existing mature vegetation is not intentional landscaping. It is adequate to screen views from very infrequent freight trains that rarely run at night, but is insufficient for passenger trains (LRT) that run every few minutes from early morning into the late night – from 5:00 a.m. to 1:00 a.m. With the introduction of LRT, KIAA agrees that there will be substantial visual effects on trail users and residences not screened by well-designed landscape and hardscape elements, including land berms and evergreens. We agree that adverse privacy impacts to indoor and outdoor living areas of residential properties will also be significant without excellent landscape design. We urge project engineers to employ the highest standards of creativity and design as they attempt to preserve the quality of this vital urban green space.

**Page 115, cont. (Cedar Lake Parkway)** The proposed alignment is on a bridge over Cedar Lake Parkway. Visual impacts on sensitive receptors adjacent to the corridor in the multi-family residential parcel and Cedar Lake Parkway could be substantial. Visual intrusion and privacy impacts of the project elements on the residents in units with windows facing the alignment where it is bridged structure could be substantial.

**Comment:** KIAA agrees that a bridge over Cedar Lake Parkway clearly would have substantial adverse visual impacts on residences from Lake Street to the

Kenilworth Channel. It would also have substantial adverse impacts on users of the Historic Grand Rounds (drivers, bicyclers, pedestrians), as well as Cedar Lake Park and beach users, a fact not mentioned in the present study. Such a bridge is also likely to violate the Shoreland Overlay District zoning requirements, which state:

“Except for structures subject to a more restrictive maximum height limitation in the primary zoning district, the maximum height of all structures within the SH Overlay District, except for single and two-family dwellings, shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less.”

*Source: Minneapolis, Minnesota, Code of Ordinances; Title 20 – Zoning code; Chapter 551. – Overlay Districts; Article VI. – SH Shoreland Overlay District*

We do not see any evidence in the present study that the feasibility of trenching, tunneling, or depressing the LRT below Cedar Lake Parkway has ever been examined. We strongly request that a thoughtful and serious study of this possibility be undertaken, since a bridge would have such grave quality of life impacts on area residents and users, and an at-grade crossing may have significant adverse traffic and safety impacts. KIAA will look forward to participating as a consulting party during Section 106 consultation in this regard.

### **Page 3-116**

A BNSF flyover bridge proposed in the conceptual engineering plans would not have impacts on any sensitive receptors.

**Comment:** KIAA requests information about this proposed fly-over bridge. The text on page 3-116 does not make clear what and where this would be.

Four at-grade center-track platforms are proposed for each station in the segment. No sensitive receptors, with the exception of the aforementioned trail users, are located adjacent to the station sites; therefore no additional visual impacts are anticipated.

**Comment:** The present study indicates substantial visual effects on trail users, residential areas and recreational users. KIAA agrees that there will be substantial adverse impacts on trail users, recreational users, and residential areas along the trail. We disagree, however, that there will be no additional adverse visual impacts near the proposed 21<sup>st</sup> Street station: there are a number of homes within close proximity to the proposed station location that would be adversely affected.

### 3.6.5.3 Mitigation, Build Alternatives, page 3-123

The need for additional landscaping to mitigate potential visual intrusion/privacy impacts following clearing and grubbing activities during construction will be addressed in the Final EIS. Station design and aesthetics will be addressed during Preliminary Engineering and Final Design. Mitigation treatments for visual impacts would be developed during the Final Design process through discussion with affected communities, resource agencies, and stakeholders. Measures would be taken to ensure the design and construction of the Build Alternative considers the context of the corridor and that sensitive receptors receive adequate mitigation. Possible mitigation measures could include:

- Landscaping vegetation such as shrubs and bushes to supplement existing vegetation buffers
- Evergreen vegetation screening to supplement deciduous vegetation buffers in leaf-off conditions
- Fencing
- Tunneling

**Comment:** Appreciating the present study's approach that mitigation treatments would be developed through discussion with affected communities, KIAA requests definition of "measures [that] would be taken to ensure the design and construction of the Build Alternative consider the context of the corridor and that sensitive receptors receive adequate mitigation."



**Comment:** This list of possible mitigation measures is woefully inadequate. Please see attached Joint Goals for SWLRT Design and Mitigation, a resolution passed by the Kenwood, CIDNA, and West Calhoun Neighborhoods in February 2011.

**Comment:** Based on the present study, we assume that consideration of placement and screening/mitigation of Traction Power Substations would also be done in cooperation with affected communities and stakeholders.

**Comment:** The DEIS does not consider impacts of light pollution – from station lighting and headlights and other vehicle lighting – which will impact trail users and residents. KIAA expects that these impacts will be analyzed and mitigated.

### 3.7 Safety and Security

#### 3.7.2 Existing Conditions, page 3-129

Public safety and security within the study area is provided by the police departments, fire departments, and emergency response units of the cities of Eden Prairie, Minnetonka, Hopkins, St. Louis Park, and Minneapolis. Emergency medical services are located in each city.

**Comment:** Please note that the Minneapolis Park Police also provide service within the study area. KIAA requests that the MPRB Police be consulted on security issues related to the impact of a proposed station at 21<sup>st</sup> Street on Cedar Beach East (Hidden Beach) and their input be incorporated into final design plans. In the summer 2012, Hidden Beach generated more police actions than any other park in the MPRB system. For the last five years, KIAA has provided supplementary funding to the Park Police to allow for increased patrols in this area. The neighborhood has expressed grave concern that an inadequately managed station would increase opportunities for illegal behavior.

**Page 3-129, cont.** Primary safety concerns associated with the freight rail relocation segment of the proposed project, as expressed by the community, are derailments, chemical spills, the accessibility and safety of pedestrians (particularly near schools), and vehicular and traffic safety at grade crossings.

**Comment:** Please note that residents near the Kenilworth Corridor have no less concern about such issues as derailments, chemical spills, pedestrian and cyclist safety, and traffic safety.

#### **3.7.3.3 Safety – Long Term Effects - Build Alternatives, page 3-131**

The project would be designed in a manner that would not compromise the access to buildings, neighborhoods, or roadways, and would not compromise access to the transitway in the event of an emergency.

**Comment:** Please note that operation of LRT 3A could hamper access by emergency service providers to Cedar Lake Park, Cedar Beach East (Hidden Beach), and residences in the 2000 block of Upton Avenue South. KIAA requests that the Minneapolis Fire Department, MPRB Police, and emergency medical responders be consulted and their input be incorporated into safety and security plans for our area. Furthermore, the adequacy of existing hydrants and other emergency infrastructure needs to be examined.

## **Chapter 4: Environmental Effects**

### **4.1 Geology and Groundwater Resources**

#### **4.1.3.4 Existing Conditions, Groundwater Resources, page 4-11**

Segment A (Figure 4.1-11): Concern exists [due to shallow groundwater] for the areas near Lake Calhoun, the channel between Cedar Lake and Lake of the Isles, and the low areas beginning near the 21st Street station and extending through the areas near the Penn and Van White stations to I-94.

#### **4.1.4.2 Long-term Effects, Groundwater, page 4-21**

The Build Alternatives may have long-term impacts on groundwater if a permanent water removal system (dewatering) is required. Permanent water removal is anticipated where the cut extends below the water table. [There are] ...possible needs on Segment A and at a second cut along Segment 3, because of shallow groundwater.

**Comment:** The present analysis is inadequate. The low lying areas around the 21<sup>st</sup> Street station extending through the Penn and Van White stations are identified as areas of concern regarding groundwater. Additionally, there is a possible need for permanent water removal systems along segment A, although the specific location is not identified. Both the identification of the risks and potential mitigation efforts in this area are unclear in the document.

#### **4.1.3.6 Groundwater Sensitivity, page 4-19**

Several areas in the study area lie within zones of very high sensitivity to pollution of the water table system (Piegat 1989).

**Comment:** The area surrounding the 21<sup>st</sup> Street station's underlying bedrock is the Prairie du Chien Group, in which resides a major aquifer supplying many municipalities potable water supply. In segment A, the area of land between Cedar Lake and Lake of the Isles is an area of "very high sensitivity to pollution of the water table system". The present study is inadequate

and provides only general information as to efforts to be made to ensure our drinking water is not contaminated.

## **4.3 Biota and Habitat**

### **4.3.5 Mitigation, page 4-53**

Impacts to regulated resources, such as wetlands, threatened and endangered species, and water resources/water quality, would be mitigated in accordance with the appropriate permits as discussed in other sections of this Draft EIS. This mitigation would also benefit biota and habitat.

**Comment:** A wide variety of migratory birds and other wildlife adapted to natural spaces in urban environments (deer, fox, turkeys, etc.) constitute a critical element of the Kenilworth Corridor and Cedar Lake Park. In addition to providing habitat, the area also creates environmental learning opportunities for both children and adults. KIAA insists that LRT design consider ways to benefit biota and habitat and minimize habitat fragmentation in this unique urban green space.

## **4.7 Noise**

### **4.7.3.5 Assessment, Page 4-92**

Segment A [LRT 1A and LRT 3A (LPA)]: West Lake Station to Intermodal Station

#### **Category 1**

There are no noise impacts to Category 1 land uses in this segment.

#### **Category 2**

There are a total of 73 Moderate Noise Impacts and 183 Severe Noise Impacts to

Category 2 land uses in this segment. The estimated number of impacted residential units is 85 Moderate and 406 Severe. Many of the impacts are due to low existing ambient noise levels combined with proximity of residential neighborhoods to the alignment and high anticipated

speeds of operation. Some impacts are due to low existing ambient noise levels combined with light rail vehicle-mounted audible warning signal (bell) use at the 21st Street Station and the nearby 21st Street at-grade crossing.

### **Category 3**

There is one moderate impact to a Category 3 land use. The impact is due to very low ambient background noise levels found in the walking-trails of the Cedar Lake portion of the Minneapolis Chain of Lakes Regional Park combined with close proximity to the tracks and bell use at grade crossings and crosswalks. This may not apply to the entire Cedar Lake portion of the park, especially in areas where park-goers themselves create higher noise levels, and in areas of the park farther from the tracks.

**Comment:** Light rail vehicle audible warning bells for at grade crossings have a sound exposure of 106 db (4.7.3.4, page 4-84), which is close to the sound level of a chain saw or a rock concert. It is estimated that there will be nearly 260 LRT trips per day from 5:00 a.m. to 1:00 a.m. During peak hours the frequency will be greater than one train every four minutes. There are 1,143 housing units along segment A that will be impacted by noise, nearly half of which (520) will suffer severe noise impacts as identified in the DEIS (Table 4.7-3, page 4-86). Of these, 406 housing units in CIDNA and Kenwood (segments A-A and A-B) will potentially experience severe noise impacts and 68 will experience moderate noise impacts (Table 4.7-8, page 4-93). KIAA insists that noise impacts on residences must be mitigated. This is currently a stable residential community with very low ambient noise levels.

**Comment:** Cedar Lake Park is primarily a very quiet, tranquil wooded area (which should be categorized as a Category 1 land use) and will experience the same level of noise impact as the homes near the proposed 21<sup>st</sup> Street station. The station will be located at the entrance to the park, and sound carries long distances through the park because of the normally low ambient noise levels. Park users likely create slightly higher noise levels no more than two to three months out of the year when Cedar Beach East (Hidden Beach) is busy, often with hundreds of daily visitors. Other months, the Cedar Lake Park is a serene, “up north” experience where the sound of woodpeckers tapping trees can be heard from one side of the park to the other.

**Comment:** There is no discussion of the impact of noise to the highly utilized Kenilworth bicycle and pedestrian trails. The Kenilworth Trail is a quiet, serene haven for bicyclist commuters and recreational users within an urban environment.

**Comment:** There is no discussion of the noise impacts that would be created by a bridge over Cedar Lake Parkway.

**Comment:** KIAA insists that the highest standards of design must be employed to mitigate these noise impacts. Severe noise affecting a large number of the homes in our neighborhood is clearly not acceptable. We believe noise impacts to Cedar Lake Park and the Kenilworth Trail would go beyond moderate, which is equally unacceptable. Excellent mitigation is needed to safeguard the park and trails from noise impacts. The design of the SWLRT in the Kenilworth Corridor must be sensitive to the existing context and do everything possible to protect this unique space. KIAA expects involvement in developing and approving mitigation plans.

## 4.8 Vibration

### 4.8.6 Mitigation, page 4-118

Detailed vibration analyses will be conducted during the Final EIS in coordination with Preliminary Engineering. The Detailed Vibration Assessment may include performing vibration propagation measurements. These detailed assessments during the Final EIS/preliminary engineering phase have more potential to reduce project-related effects than assessments of mitigation options at the conceptual engineering phase of the project. Potential mitigation measures may include maintenance, planning and design of special trackwork, vehicle specifications, and special track support systems such as resilient fasteners, ballast mats, resiliently supported ties, and floating slabs.

**Comment:** The Prairie du Chien bedrock associated with the area around the 21<sup>st</sup> Street station in the Kenwood Isles neighborhood is an efficient conductor of ground-based vibration and ground-based noise. The area is identified as having a “high potential of efficient vibration propagation” (4.8.3.4, page 4-115), and 231 units are identified as being impacted in Segment A (**Table 4.8-4, page 4-115**). Given that the infrequent freight rail traffic vibrations can certainly be felt four to five blocks distant from the tracks it seems quite possible that the number of



housing units impacted will be greater than cited in the DEIS. It appears that actual vibration testing has not been done as part of the DEIS but will be done later.

**Comment:** During the scoping process, residents pointed out that new construction at 2584 Upton Avenue South required extra deep footings because the ground in this area propagates vibrations to the detriment of structures. An architect's report was submitted. There is no evidence in the current study that this information was taken into account. The area currently experiences vibration from the few heavy freight trains that pass most days, but will likely see much greater impacts from 260 daily light rail trains. KIAA insists that detailed vibration assessments be done as early as possible in Preliminary Engineering to determine the impact on homes near the trail.

## 4.9 Hazardous and Contaminated Materials

### 4.9.5 Mitigation, page 4-129

It is reasonable to expect that previously undocumented soil or groundwater contamination may be encountered during construction. A Construction Contingency Plan would be prepared prior to the start of construction to account for the discovery of unknown contamination. This plan would outline procedures for initial contaminant screening, soil and groundwater sampling, laboratory testing, and removal, transport, and disposal of contaminated materials at licensed facilities. Contaminated material removal and disposal would be in accordance with this plan, monitored by qualified inspectors, and documented in final reports for submittal to MPCA.

**Comment:** Based on reviews of state databases there are three identified contaminated sites in Segment A around the 21<sup>st</sup> Street station (Figure 4.9-4, page 4-125). Given the historical usage of the area surrounding the 21<sup>st</sup> Street station and the Penn station areas for rail siding and transfer and the obvious existence of debris piles and old structures in the area it seems likely that additional contamination may be present in the area.

**Comment:** The neighborhood needs assurance that contaminated soils will be dealt with appropriately during construction.

## ***Chapter 5: Economic Effects***

### **5.2 Station Area Development**

#### **5.2.1 Land Use**

##### **5.2.1.4 Segment A [LRT 1A and LRT 3A (LPA)] – West Lake Street Station to Royalston Station, page 5-12**

Land use within one-half mile of Segment A is predominantly single family residential (detached housing, 20.0 percent), parks and open space (16.0 percent), and water features (10.7 percent). Industrial land uses make up 14.3 percent of the total land use; however these uses are primarily concentrated near downtown Minneapolis. Housing adjacent to Segment A includes single-family detached and multi-unit attached structures, which together encompass 29.6 percent of the land uses adjacent to this segment.

##### **5.2.5.1 Mitigation for Land Use Plan Consistency, page 5-21**

Changes in land use and denser development near stations are anticipated, consistent with existing plans and policies. Overall, positive economic effects are anticipated under all build alternatives for the local community and region. No mitigation is required.

**Comment:** KIAA opposes land use changes around the proposed 21<sup>st</sup> Street station. We urge protection and, if possible, enhancement of the Kenilworth Trail and Cedar Lake Park area as a unique and vibrant urban green space. We do not support denser development near the 21<sup>st</sup> Street station.

## ***Chapter 6: Transportation Effects***

## 6.2 Effects on Roadways

### 6.2.2.2 Physical Modifications to Existing Roadways, page 6-24

Also in Segment A with LRT 3A-1 (co-location alternative) only, the ROW needed for this alternative will affect Burnham Road, which is adjacent to the corridor and accessed off of Cedar Lake Parkway. Burnham Road is the main access point for homes fronting on Cedar Lake.

### 6.2.2.3 Operational Impacts at Intersections

#### Segment A (LRT 3A-1 Co-location Alternative), page 6-39

The conceptual design for LRT 3A-1 (co-location alternative) includes the light rail and freight rail tracks crossing Cedar Lake Parkway at-grade. Therefore, a queuing analysis was performed for the Cedar Lake Parkway crossing including an analysis of impacts to Burnham Road and Xerxes Avenue in proximity to the Cedar Lake Parkway crossing.

**Comment:** KIAA notes that at-grade crossing studies were done at Cedar Lake Parkway only for the 3A-1 co-location alternative. Given that we very strongly oppose a bridge over this feature of the Historic Grand Rounds, preferring a depression/trench/tunnel for the LRT, the comments below consider facts about the at-grade crossing that apply whether or not trains are co-located. We reiterate here our opposition to co-location.

**Comment:** Please note that Burnham Road is also the main access point for many residences along the Kenilworth Corridor in both Cedar-Isles-Dean and Kenwood, as well as the only alternative to driving around Lake of the Isles for other Kenwood and Lowry Hill residents.

**Comment:** Not included in this analysis, Sunset Boulevard at Cedar Lake Parkway is also blocked and has significant queuing when freight trains cross under current conditions.

**Comment:** Not considered are potential noise impacts of an at-grade crossing at Cedar Lake Parkway. These would be considerable, especially for residents near the intersection and for users of Cedar Beach South.

#### **6.2.2.4 Transit Station Access, page 6-41-42**

LRT station access would vary. [...]The following stations would provide public parking. Access to the following stations would be by walking, bicycling, driving an automobile, or transferring from local bus services:

- West Lake Street
- 21st Street
- Penn Avenue

**Comment:** Chapter 2 identifies that public parking would be provided at 21<sup>st</sup> Street as a surface lot for 100 cars. This is unacceptable to KIAA, and contrary to City of Minneapolis policy. We oppose a park-and-ride lot at 21<sup>st</sup> Street.

#### **6.2.2.6 Building/Facility Access, page 6-46**

For the Build Alternatives, access to several buildings and facilities would need to be modified. In Segments 1 and 4, no changes to building and facility access would be required. In Segments 3 and A, the access to several private properties would be slightly realigned in the following locations:

[...]

- Cedar Lake Parkway and Burnham Road

**Comment:** KIAA requests information about which buildings at Cedar Lake Parkway and Burnham Road would see their access modified, what is the proposed modification, and under what conditions this would occur.

### **6.3 Effects on Other Transportation Facilities and Services**

#### 6.3.1.4 Bicycle and Pedestrian Facilities, page 6-52

The City of Minneapolis and Transit for Livable Communities have conducted two- hour bicycle and pedestrian counts along these trails for the past several years. The annual counts are conducted in September and attempt to capture peak commuting hour traffic volumes. The two-hour bicycle and pedestrian volume counts are shown in Table 6.3-3. Although count data is not available, anecdotal accounts from many cyclists indicate that these weekday counts do not represent peak-hour trail volumes, which may occur on weekends when the trails are heavily used.

**Comment:** We note that Table 6.3-3 shows that the Kenilworth Trail through Kenwood and CIDNA has very high use by bicycle commuters, and concur this study of the traffic volumes along the trail certainly does not capture the heavy weekend recreational use. Minneapolis Park and Recreation Board counts for 2009 estimate 617,000 annual users of the Kenilworth Trail.

#### 6.3.2 Long-Term Effects

##### 6.3.2.1 Build Alternatives, page 6-55

###### Parking Spaces Added for Build Alternatives

Additional parking would be added at many of the proposed stations as outlined in Section 2.2.3 of this Draft EIS. Depending on the number of spaces needed and the local constraints, parking may be in structures. The parking facilities are expected to generate additional traffic on local streets that provide access to the station areas.

**Comment:** The Kenwood Isles Area Association opposes a park-and-ride facility at the proposed 21<sup>st</sup> Street station, and our understanding is that such a facility would be contrary to the City of Minneapolis' policy.

**Comment:** We request a complete analysis of the traffic impacts of this station on our neighborhood. A previous study projected 1,000 riders per day boarding at 21<sup>st</sup> Street. Either the figure of 1,000 riders per day is wrong, or our neighborhood will see tremendous change that must be better understood and planned. (Southwest LRT Technical Memo No. 6, Ridership Forecasting Methodology and Results, Preliminary for Review Only, September 9, 2009)

#### **6.3.2.4 Bikeways and Major Pedestrian Facilities, page 6-58**

The conceptual engineering developed for this Draft EIS indicates that there is sufficient space within the HCRRA's ROW for the Build Alternatives and the interim-use trails to coexist; therefore, with the exception of the Midtown Greenway in Segments C-1 and C-2, long-term impacts on the capacity and operations of the interim-use trails is not anticipated. For safety reasons, it is likely that fencing or other measures to separate the bicycles and pedestrians from the LRVs would be necessary, with crossing of the tracks allowed at roadway intersections and station locations.

**Comment:** See Chapter 3.2 comment on community cohesion. Also, KIAA urges that if fencing is used for safety reasons, it should be part of an integrated, overall landscape design that includes land berms, evergreens, deciduous trees and shrubs, and hardscape elements. This design should protect and value the existing park-like environment of the trail areas and the adjacent Cedar Lake Park, and should be done in cooperation with the community including KIAA, CIDNA and the Cedar Lake Park Association.





Karen Hroma  
<karenhroma@yahoo.com>

12/31/2012 10:06 PM

Please respond to  
Karen Hroma  
<karenhroma@yahoo.com>

To "swcorridor@co.hennepin.mn.us"  
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Southwest LRT - Public Process - Chapter 12 DEIS

Chapter 12 shows Hennepin County's biggest failure – the deliberate exclusion of the freight issue from the entire DEIS scoping period and LPA selection process. Chapter 12 discusses 57 events and various other attempts to involve the public. You will see that the public concerned with the freight issue was deliberately excluded from the process at every single one of these 57 community events/meetings. It is necessary that the LPA discussion be reopened to allow public input.

## CHAPTER 12 – PUBLIC AGENCY COORDINATION AND COMMENTS:

### 12.1.1

The statement is made that the public and agency involvement process has been open and inclusive to provide the opportunity for interested parties to be involved in planning. Stakeholders had an opportunity to review and comment on the analysis and results at major milestones reached during the course of the study. The program was conducted in a manner consistent with National Environmental Policy Act (NEPA) and Section 106 regulations. This statement is completely false considering the public concerned about the freight rail re-route issue.

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NEPA 1500.2(d) states that the leading agency must encourage and facilitate public involvement in decisions which affect the quality of the human environment. This regulation was clearly ignored in regards to the potential freight rail re-route issue. Hennepin County did not encourage and facilitate public involvement concerning this issue. Hennepin County did not allow the opportunity to review and comment on the analysis and results at major milestones reached. In fact, Hennepin County refused attempts for public comments and concerns regarding the freight rail issue at all of the outreach meetings prior to September 2, 2011. This included major milestone including the selection of the LPA. Because of the deliberate exclusion of the freight issue, the LPA selection process must be reopened and reexamined allowing public input to become part of the process.

### 12.1.1.2

CAC Process – After the proposed re-route was added to the SWLRT project Safety in the Park was added to the Community Advisory Committee of the SWLRT. The CAC group had a reputation of being well run, open minded and inclusive. Our wish was to explain that our opposition to the re-route is not (as has been heralded by the county) to be anti-LRT. We wanted it known that our concern is simply that our county and state governments are misusing a piece of infrastructure and in doing so creating an unlivable, unsafe

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environment for a significant segment of the population.

Instead of listening to our concerns the leadership of the CAC committee took the highly unusual step of changing the CAC Charter that had just been accepted by the committee. The original charter allowed for alternate members to take part in meetings as long as the leadership was notified in advance of the alternates attendance. (Appendix 12) The new charter rescinded the rights of alternates. Making it impossible for residents to be adequately represented.

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#### 12.1.1.4

Table 12.1–1 lists meetings of 42 Neighborhood, community and business groups where Southwest Transitway information was presented. The discussion of the freight issue was deliberately excluded from all 42 of these events.

#### 12.1.1.5

Since the DEIS was launched, three additions of the Southwest Newsline were published and distributed. The freight issue was deliberately excluded from all three publications.

#### 12.1.1.6

Table 12.1–2 lists 15 community events where staff attended southwest materials were distributed. The opportunity to learn about the freight issue or discuss the freight issue was deliberately excluded from every one of these 15 community events.

#### 12.1.1.8

Information about the freight issue was deliberately excluded from the southwesttransitway.org website prior to Sept, 2011.

#### 12.1.2

None of the articles on SW LRT listed in Table 12.1–4 included the freight issue. Table 12.1–5 lists media outlets contacted to run stories about the SW LRT project. None of the media outlets were contacted by project staff and asked to run a story about the freight issue.

#### 12.1.3

Twenty–five public meetings and open houses were held at locations within the Southwest Transitway project corridor to provide information to affected and interested communities and parties. The primary purpose of these meetings was to inform of the public about the study's process and to give all interested parties an opportunity to provide input, comments, and suggestions regarding the study process and results. The opportunity to provide input, comments and suggestions regarding the freight issue was deliberately excluded from each and every one of these 25 meetings.

### 12.1.3.1

The scoping process is designed to inform the public, interest groups, affected tribes, and government agencies of the Draft EIS and to present the following items for comment:

1. Purpose and need for the project;
2. Alternatives to be studied; and
3. Potential social, economic, environmental, and transportation impacts to be evaluated.

The freight issue is the most controversial issue of the SW LRT project. The freight issue has the greatest potential social, economic and environments negative impacts yet it was not included during the vast majority of the SW LRT scoping process. The freight issue was deliberately excluded after multiple requests to include it in the scoping process. A specific and formal request from the City of St. Louis Park was made on October 14, 2008 to include the freight issue under the scope of the SWLRT DEIS. (Appendix 12.1) The St. Louis Park Public Board of Education made a similar request on November 3, 2008. (See Appendix 12.1) The NEPA Implementation Office of Enforcement and Compliance Assurance wrote a letter dated November 6, 2008 that stated the impacts and contributions to the existing transportation network including freight/industrial, automotive, pedestrian, and bicycle modes should be fully presented in the DEIS..(Appendix 12.3) Despite all of these requests, the freight issue was denied inclusion in the DEIS scope prior to Sept 2, 2011. The reason for this exclusion is unknown and not published in the DEIS.

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### 12.1.3.2

The discussion of the freight issue was deliberately excluded from all three of the open houses held on May 18, 2010, May 19, 2010 and May 20, 2010.

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### 12.1.5

The only opportunity the public was given by Hennepin County to discuss the freight rail re-route was at the PMT meetings discussed in section 12.1.5. However, any discussion of possible alternatives to the re-route (co-location) or the freight re-route's connection with SWLRT was strictly forbidden at these PMT meetings. In addition, the vast majority of PMT members and St. Louis Park community were not satisfied with the PMT process. The last PMT meeting included a public open house where over 100 St. Louis Park citizens attended and expressed their outrage regarding the PMT process. The comments made at the open house need to be part of the DEIS since the freight issue was excluded from all other opportunities for public input. The open house can be viewed at

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<http://vimeo.com/17945966>

The following are comments made by PMT members to provide an overview of the severe shortcomings of the PMT process.

**Kathryn Kottke (Bronx Park):** .The 'process' was very frustrating because the questions I asked were not answered. In addition, during the open session residents were allowed to ask questions, but they were openly ignored; at some points, Jeanne Witzig, who facilitated

the meetings, would simply respond, 'Next?' after residents had asked a question. Any discussions about SW LRT or possible alternatives to the reroute were not not allowed.

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.Perhaps most frustrating was that we were asked to list our mitigation requests, but when the engineers had completed their work, they not only ignored every single mitigation request we had made, but they added mitigation we openly rejected such as a quiet zone by the high school and the closure of the 29th street at-grade crossing. Instead of making the reroute safer, Kimley-Horn planned for welded rails that would enable trains to run faster through a very narrow corridor..

**Karen Hroma (Birchwood Neighborhood):** .The PMT meetings were held only so Hennepin County can check a box and claim that they gathered .public input.. The experience was frustrating and insulting. Several questions of mine went unanswered. None of the Birchwood residents' mitigation requests were given consideration. In fact, quite the opposite happened. Although the Birchwood residents very specifically asked that the 29th Street intersection remain open, the PMT concluded that the 29th Street be closed and that is was considered .mitigation.. When the PMT wanted to discuss possible alternatives to the re-route we were told that this was not the appropriate time or venue to discuss..

**Marc Berg (Birchwood Neighborhood):**

**Jake Spano (Brooklawns Neighborhood Representative) and current St. Louis Park Council Member):** .I do not support increasing freight rail traffic through St. Louis Park or the rerouting of freight rail traffic North through the city until it has been proven that there is no other viable route. To do this, we need objective, honest assessments and an acceptance of mitigation requests by the people of the St. Louis Park. What was presented during the Project Management Team (PMT) process was lacking in all three of these areas..

**Claudia Johnston (City of St. Louis Park Planning Commission):** .PMT meetings were conducted to get input from cities, residents and businesses impacted by the SWLR and rerouting freight. The document that was produced from those meetings . the EAW . completely ignored the input of those stakeholders. Therefore the conclusion is that Hennepin County never had any serious intention of working with those stakeholders and used that process to complete one of their required goals which was to conduct public meetings. Hennepin County has continued to withhold information from public authorities like the Met Council, Regional Rail Authority and the FTA by producing documents like the EAW and the DEIS that contain false information..

**Lynne Carper (Lake Forest Neighborhood):**

**Kandi Arries (Lenox Neighborhood):** .I participated in the PMT as a concerned resident of Lenox neighborhood. The PMT was 'pitched' as a chance to problem solve and discuss issues openly. It became apparent though that the PMT was a poster child for government decisions that are made at the top, regardless of the input of the residents and the people

impacted. Questions were asked by residents during the open forum but no answers were given. Input was given to the consultant staff by PMT members but responses were rare, if at all. Major changes were implemented by the county and the engineer– the lose of the southern connection and change of the cedar lake bike trail to a bridge. These changes were just implemented without the input of the members. The PMT was the forcing of the county wishes regardless of the resident concerns. Shameful..

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**Jeremy Anderson (Lenox Neighborhood):** "I participated in the PMT meetings as a representative--along with Kandi Arries--of the Lenox neighborhood. Together, we solicited many pages of comments and suggestions for remediation, and submitted that information to the County. Everything we submitted was summarily ignored. At every turn, the County pretended that the changes THEY wanted were the ones which we had submitted, and that we had never submitted any suggestions. When questions were asked, the answer given by the representatives of the county was: 'this meeting is not to address that question.' -- it didn't matter WHAT the question was. My time was wasted, every citizen who attended had their time wasted, and the County wasted a significant amount of money on a consultant who did nothing other than look confused or defer to a representative of the county. I have never experienced anything so frustrating in my years of dealing with government at all levels. I have learned from this process that Hennepin County does what Hennepin County wishes, regardless of what the citizens say. I would expect government like this in a Monarchy, an Oligarchy, or some sort of despotic Dictatorship. Behavior such as this from a supposedly representative government is absurd, shameful, and should not in any way be encouraged. The irregularities around the EAW and DEIS are so massive, so coordinated and so mind-boggling as to suggest fraud and graft on a quite noticeable scale. The County has continually dodged funding questions, and whenever a number is suggested which looked unfavorable to the freight reroute, that number has magically been declared a typo at a later date. It is my suspicion that if the proposal were shown to violate several of Newton's Laws, that Hennepin County would declare that Newton had been incorrect in his fundamental discovery."

**Lois Zander (Sorenson Neighborhood):** .As a member of the PMT and representative of the Sorensen Neighborhood, I was able to see first hand how the public process was manipulated to make it look as though our neighborhood concerns were actually going to be considered in making a determination about the re-route. Prior to the meetings, PMT representatives were asked to get input from their neighborhoods regarding mitigation, should the reroute go through St Louis Park. In good faith, a neighborhood meeting was called and a list of concerns and possible mitigations was put together. This process put me in the position of getting our hopes up that our position would be heard, just to be dashed when exactly zero mitigations were revealed in the final document. I then needed to go back to my neighbors with this unhappy news and an explanation as to why I bothered them in the first place.

.During PMT meetings, faulty results were given as proof we needed no mitigation for



vibration, noise and safety. For example: an "expert" took a reading next to the current small train as it passed along the MN&S. He had beautiful charts and graphs all proving the noise was below any level of concern and therefore did not need to be mitigated. This certainly does not represent the noise of the mile long 2 or 3 engine train which will be passing through our neighborhood and by our schools. The same ploy was used to prove to that vibration would not be a concern to our homes and schools. Do they take us for fools? This is a waste of taxpayer money and an insult to all of us who worked in good faith at our meetings.

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.When we raised safety concerns about students being on the tracks going to the football field or to lunch, we were told the trains cannot stop and if someone were killed it would be their fault for trespassing. Students will still be at risk simply by walking across a sidewalk crossing and there they will not be trespassing.

.I was extremely disappointed to find that the SWLRT-DEIS was also a sham. Instead of a new study, the same faulty results were once again used to disprove our need for mitigation or colocation. Even though studies have clearly shown the MN&S is not suitable for the reroute and that co-location is a cheaper and more viable alternative, the powers that be inexplicably insist on going through on the MN&S in St Louis Park.

.We do not want this hideous reroute through the middle of our city for which we have worked so hard to gain model city status as a top 100 city in the country to live. We are very disappointed by this process, which took so much of our time and energy, and we will continue to fight this egregious 'mistake'..

**Joe LaPray (Sorenson Neighborhood) and Jami LaPray (Safety in the Park):** Almost fifteen years ago we got involved in the effort to stop the proposed freight rail re-route. We started small, writing letters to our elected officials and commenting during the scoping of the SWLRT. Each time we commented we were ignored or told the relocation of freight will make someone else's life easier. We vowed to continue to work toward a resolution that would not cost us our safety and home.

.When the PMT was formed we both volunteered to take part. The idea that we might finally be heard was wonderful. We were told the PMT members would have input on the design of the proposed re-route . We believed that even if we did not get everything we wanted, at least our ideas would be part of the design and life would be better for all of St. Louis Park. From the beginning this was not the case. Questions we asked either went unanswered or if answered after weeks of waiting the answers were cursory. We were told during the August 26, 2010 PMT meeting where in the process mitigation would be discussed and considered. In good faith we worked hard to reach out to our neighbors and compile a list that was not frivolous (we wanted things like bushes and sound barriers) we submitted that list to Kimley-Horn the engineering firm writing the EAW. When the EAW was finally published the list we worked hard to compile was not even a footnote in the EAW document.

.Other information gleaned during the PMT process that is pertinent to our concern was also left out of the EAW document and subsequently left out of the SWLRT-DEIS. For Example: during one of the meetings, Joseph asked, Bob Suko General Manager of the TC&W Railroad a question about the ability of a loaded unit train to stop should an obstacle be in an intersection near the Dakota and Library Lane intersections. The answer was .no. they could not stop.

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.In the end it can only be concluded that the PMT process was designed to fulfill the duty of government agency to hold public meetings. Nothing else came from the process..

**Thom Miller (Safety in the Park):** .The entire PMT process was clearly not designed for public input, but rather for the county 'check the box' that they had held public meetings. Each meeting included a rather heated exchange between the facilitators and members on the re-route issue because the facilitators tried to shut down any such discussion..

The DEIS fails to mention the 2011 April 17 and 28 freight re-route listening sessions that were held by the city of St. Louis Park. Hundreds of St. Louis Park residents voiced their opposition to the freight reroute. Those comments should be included as part of the DEIS. These comments are especially valuable considering the freight issue discussion was excluded from the DEIS scoping process. Video of the listening sessions can be found at <http://vimeo.com/23005381> and <http://vimeo.com/23047057>.

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#### 12.2.1

SATETEA-LU Section 6002 states:

.(1) PARTICIPATION- As early as practicable during the environmental review process, the lead agency shall provide an opportunity for involvement by participating agencies and the public in defining the purpose and need for a project.

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.(4) ALTERNATIVES ANALYSIS-

.(A) PARTICIPATION- As early as practicable during the environmental review process, the lead agency shall provide an opportunity for involvement by participating agencies and the public in determining the range of alternatives to be considered for a project.

.(B) RANGE OF ALTERNATIVES- Following participation under paragraph (1), the lead agency shall determine the range of alternatives for consideration in any document which the lead agency is responsible for preparing for the project.

.(C) METHODOLOGIES- The lead agency also shall determine, in collaboration with participating agencies at appropriate times during the study process, the methodologies to be used and the level of detail required in the analysis of each alternative for a project.

.(D) PREFERRED ALTERNATIVE- At the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives in order to facilitate the development of mitigation measures or

concurrent compliance with other applicable laws if the lead agency determines that the development of such higher level of detail will not prevent the lead agency from making an impartial decision as to whether to accept another alternative which is being considered in the environmental review process..

Hennepin County purposely kept the freight issue out of the SW LRT scope despite multiple requests from the City of St. Louis Park, the City of St. Louis Park School Board and the public. They clearly were not following the SAFETEA-LU directive to involve the public and participating agencies as early as possible. In fact, they did quite the opposite. The reroute was purposely excluded from the SW LRT scope so that Hennepin County could keep its agenda to remove the freight from the Kenniworth Corridor. The preferred alternative was developed to a much higher level of detail than LRT 3A-1 (co-location). Hennepin County has made every effort to keep co-location off the table. By the time the FTA forced Hennepin County to include colocation in the scope of the DEIS, so much progress has been made on the SW LRT project that it is impossible for the Met Council to make an impartial decision on the reroute verses colocation. The Met Council is not seriously considering colocation because a vote on the LPA has already occurred. The LPA selection process must be reopened with the freight issue included in order for an impartial decision to be made.

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#### 12.2.2

The Section 106 review process is an integral component of the National Historic Preservation Act (NHPA) of 1966. Section 106 of the NHPA requires each federal agency to identify and assess the effects their actions will have on historic resources. The process requires each federal agency to consider public views and concerns about historic preservation issues when making final project decisions. The ultimate goal of Section 106 is to seek agreement among these participants regarding preservation matters arising during the review process. At the time that the Section 106 notification letters were sent out, the potential reroute of freight was not considered part of the SW LRT project. The Section 106 review process should be done with the potential reroute of freight included.

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#### 12.3.1

From the initiation of the Draft EIS process in the spring of 2008, Southwest Transitway project staff have been collecting public comments and filing a public comment database specifically designed for the project. Currently, this database contains more than 1,000 comments provided by approximately 250 commenters. The database excludes any comments regarding the freight issue because the freight issue was not part of the SW LRT scope prior to Sept, 2011. The LPA selection process must be redone with the freight issue included so that public input and an unbiased decision about the LPA can be obtained.

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#### 12.3.2



In this section the FTA and the Metropolitan Council state that they will continue to meet with interested parties and stakeholders throughout the NEPA process. This section describes Metropolitan Council developed Communications and Public Involvement Plan (CPIP) which recognizes the need to communicate with the public. The CPIP's goals are:

1. Develop, maintain and support broad public understanding and support of the project as an essential means to improve our transportation system and maintain regional competitiveness.
2. Build mutual trust between the Metropolitan Council, its partners and the public by creating transparency through information sharing and regular, clear, userfriendly, and two-way communication about the project with community members, residents, businesses and interested groups in the corridor.
3. Promote public input into the process by providing opportunities for early and continuing public participation and conversation between the Metropolitan Council and the public.
4. Maintain on-going communication with project partners and ensure that key messages are consistent, clear and responsive to changing needs.
5. Inform elected officials and funding partners of the project and status to ensure clear understanding of the project, timing and needs.
6. Provide timely public information and engagement to ensure that the project stays on schedule and avoids inflationary costs due to delays.

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The Metropolitan Council has failed reaching any of these goals in regards to individuals concerned with the freight issue. Because the freight issue was excluded from the vast majority of the SW LRT scoping period, Safety in the Park has attempted to set up a conference call between the Met Council, the FTA and the Safety in the Park co-chairs. Safety in the Park believes that this conference call would not make up for the exclusion of the freight issue for the majority of the SW LRT scoping period but would be a small step towards helping the FTA and Met Council understand the public's concerns regarding the potential reroute. Safety in the Park is optimistic that a conference call can be set up in the near future.

Karen Hroma  
2752 Blackstone Ave  
St. Louis Park, MN  
55416



swurban@comcast.net

12/31/2012 11:57 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Re: SW Lightrail DEIS

To Whom It May Concern,

My name is Susan Urban and my family and I live in St. Louis Park. We have been following the discussions regarding the SW Light Rail DEIS with great interest. While there has been a significant amount of evaluation, we do not feel the DEIS has fairly addressed all the freight rail alternatives, specifically, the freight rail co-location (3A-1). Relocating the added freight rail traffic through the heart of St. Louis Park's middle class neighborhoods and high school campus is not only unsafe, but will forever change the cohesive nature of our city, as well as degrade the economic viability here. Simply by looking at a St. Louis Park map and the existing neighborhoods, it's plain to see the freight rail line will travel through the heart of the largest section of middle-class housing. In addition, while trains are passing through, there will be six major roadways that will be choked off creating a disrupted flow of all city traffic. There is also the issue of the damage the vibrations will cause to our high school buildings that will eventually make the integrity of the buildings unstable. Insecure schools are targets for vandalism & theft. I believe this single factor alone will result in a decline of parents' desires to send their students to St. Louis Park schools. None of these economic impacts, nor the ripple effects, have been addressed nor has any mitigation plan been devised for how any of these effects could be lessened, let alone eliminated.

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Speaking personally, we have lived in the Birchwood neighborhood for over 15 years. We have loved our time here & until the freight rail concerns, we never imagined ourselves leaving St. Louis Park. Sadly, we are now having this discussion. While we would love to stay here, the housing options will be very limited if the proposed freight rail plan goes through. Houses in areas not as directly affected are either too expensive or a step down. There really are very few options. We are also very concerned about our daughter attending the high school with the proposed location of the freight rail. The DEIS as it stands today does not consider these very real impacts on the city & we feel there will be a resulting mass exodus of middle class families leaving the city in the near future.

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We hope it is realized that the DEIS has not fairly evaluated or represented the freight rail options. If this is to happen to our beautiful city, as it appears is likely, we sincerely hope you will work tirelessly to ensure the impact of it all is minimized as much as is humanly possible.

Thank you,

Susan Urban  
2653 Xenwood Ave S  
St. Louis Park, MN 55416

Mary Scarbrough Hunt  
<huntms1@aim.com>

12/31/2012 11:58 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Personal Experience of "Environmental Impact"

I want to let you know how seriously the rerouted freight rail has impacted my home, and no one has addressed that. THAT constitutes "environmental impact" to me.

What are you going to do to mitigate future damage and remedy existing damage?

Photos will follow.



Mary Scarbrough Hunt  
7021 West 23rd Street  
Saint Louis Park, MN 55426-2702  
952-546-1336 (H) / 612-716-5274 (M)  
Huntms1@aim.com



REEDSWENSEN@aol.com

12/31/2012 11:58 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Comments on LRT

Please enter the following comments into the record for the Southwest Light Rail Transit Line:

I have no doubt that the Southwest Light Rail Transit Line (SWLRTL) will be built, but I want to add my opinion that it is a huge waste of taxpayer dollars.

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One of the main arguments for building the SWLRTL is that it will be funded by "federal money". If we don't spend it someone else will. Federal money is not free money. It doesn't fall from Mars. It's taxpayer money. It's money we paid in taxes and it's money that people in Tampa, Los Angeles, Houston, Chicago, and cities throughout the U.S. paid in their taxes. They'll get the bill for our wasteful spending and we'll pay for their wasteful spending. Thinking like this is prevalent among politicians and bureaucrats. It's the reason this country is technically bankrupt. The "gold shovel and hard hat" crowd will spend and spend without restraint just to feed their egos and put their name on public projects. Taxpayers no longer want to be taxed on their hard-earned money so that public officials can strut and preen their way through a ground-breaking ceremony.

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SWLRTL is expensive by any measure. We are told \$1.5 billion. How often does a public works project come in within budget? Look at the Lowry Bridge. What will be the total cost of SWLRTL? \$2 billion? \$3 billion? This does not even include the operational costs that the taxpayers will need to cover each and every year in the decades ahead. Already a \$100 million error has been found, but we're told that doesn't really change anything. It's only \$100 million.

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SWLRTL is depicted almost like a Disney-esque monorail, silently threading its way through the city. Nothing is further from the truth. Have you seen and heard the Hiawatha Line with its ugly steel towers and cables? Like the Hiawatha Line, a wide swath of land will be clear-cut and denuded the length of the route. Thousands of trees and green space will be replaced by concrete walls that will soon be covered with graffiti. This is not a Disney monorail. It's big, it's loud, it's earth-shaking, and it's ugly. If you want an urban feel added to Eden Prairie then this rail line is for you. And don't forget the two years of construction when roads and highways will need to be closed and detoured for the building of tracks, bridges, and tunnels. Once it's completed we can look forward to traffic delays at numerous "at-grade" intersections as empty train cars rumble by.

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We're told that LRT is the future. It is? Rail is an old technology. It pre-dates the automobile. Cars have steering wheels. So do buses. That's why it makes more sense to improve and add to bus service instead of spending billions on a primitive technology that is forever fixed in one route. We're told that LRT is supported by the majority of people in Eden Prairie. Yes, the first impression is that LRT seems "fun" or interesting. And who wouldn't want it if someone else (federal dollars) is paying for it? Anyone can design a survey that shows support for LRT, but when people hear of the reality their opinion changes. We are told the business community and Chambers of Commerce are big supporters. I seem to remember a local Chamber of Commerce being vocally opposed to the Indoor No-Smoking Act. I think they lost their credibility with that one. I haven't heard from one small business owner in the area who is for SWLRTL. Large companies have gone on record as supporters, but many of their executives will tell you privately that they are personally against it and think it's a waste. But they realize their companies need to look progressive and forward thinking. It's difficult to do that by saying "no". Many also fear the wrath of government for speaking out against something that government is so intent on implementing.

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Many of the biggest supporters of SWLRTL are the social engineers that cringe at the sight or thought of us driving our cars and having the freedom to move about at will and on our own schedule. They know what is best for us and would rather load us into cattle cars at predetermined times as they send us to

work and home. A recent editorial in the Tribune spoke of social equity being the major reason for supporting SWLRTL.

We are told that our residential property values will drop in Eden Prairie without SWLRTL. Nearly any real estate agent will laugh at that opinion, yet it is commonly stated as fact.

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We are told that SWLRTL is necessary to supply transit for the 60,000 jobs expected to be created in the region. We are also told that SWLRTL will create 60,000 jobs due to its construction and nearby redevelopment. Which is it? One of the above or both? Different sources cite different scenarios. Let's not forget that both are projections. The Metropolitan Council recently observed that some of their projections on job growth and population made only a couple of decades ago were way off the mark. Projections are not a guarantee of what will happen in the future, and they are often incorrect. Only a few years ago we were told that telecommuting was the wave of the future and that Eden Prairie office space was overbuilt. "Community leaders" were wringing their hands over what to do with Eden Prairie's oversupply of commercial space. The "office" was becoming obsolete as more and more of us would work from home. Why should we believe certain projections and "studies" that are at a total contradiction with other projections and studies? There are studies and interpretations of studies that can be used to support both sides of most any argument. SWLRTL supporters continually cite only those studies that back their side and ignore other data. Don't forget that studies backed the Big Dig in Boston, studies helped design the original 35W Bridge, and studies placed a K-Mart in the middle of Nicollet Avenue in Minneapolis. While we're at it, let's look at some of the studies that show that commuter rail spreads gang violence and influence.

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Any redevelopment at the transit stations is going to be similar to what we see at the Southwest Transit Station -- some fast casual restaurants, a coffee shop, and maybe an apartment. Are those part of the 60,000 jobs that are cited? This is not redevelopment. This is displacement. It only means we'll stop at a Caribou near the transit station instead of the one we used to stop by near our home. Those are all pleasant places to eat, but they are not office or technology parks featuring world-class research and innovation. SWLRTL is not going to bring the southwest metro area into the forefront of world economic development as some have suggested.

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I was speaking with a representative of the Chinese government who is a specialist in economic development. He asked me if I had heard that light rail was being considered for the southwest metro area and Eden Prairie. He thought it was funny. He asked if we had plans to transport peasants to the big city. He couldn't believe that it was even being considered, as he said it's essential for both ends of a transit line to either have a large population or an importance as a destination. Eden Prairie has neither. Minneapolis to St. Paul makes sense for light rail. Minneapolis to the airport and Mall of America makes sense too. Although for both of these examples he said they would not be perfect candidates because the routes are too short and the speeds too slow. We have existing infrastructure plus cars and buses to do the same thing. He mentioned that he heard of the SWLRTL when visiting with an economic development person associated with the Minneapolis to St. Paul line. When he questioned the need for SWLRTL she became very defensive and her demeanor changed completely.

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It's clear that the bureaucracy that has been constructed by the Metropolitan Council around the evaluation of SWLRTL acts to promote the building of the line. And who can blame the employees? They'd be out of a job if the line is not built, so they have a personal interest in making sure that it is not stopped or even criticized.

As an owner of multiple commercial properties in Eden Prairie I would stand to profit from redevelopment near the transit stations. But as a taxpayer I won't stand silent and see public officials (un-elected public officials in the case of the Metropolitan Council), wastefully spend taxpayer money.

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Reed Swensen  
17555 Bearpath Trail  
Eden Prairie, MN 55347  
952-949-9836

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

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I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

C

Thank you,

Name:

*Pam Colacino*

Address:

*8236 WESTWOOD HILLS CURVE*

City/State/zip:

*ST. LOUIS PARK MN*

Telephone:

*612-419-2873*

E-Mail:

You can sign the petition at

[SafetyInThePark.com](http://SafetyInThePark.com)

You can comment via email to

[swcorridor@co.hennepin.mn.us](mailto:swcorridor@co.hennepin.mn.us)

The comment period ends on **December 31, 2012**



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C

Thank you,

Name: JOAN MEATH  
Address: 8236 WESTWOOD HILLS CURVE  
City/State/zip: ST. LOUIS PARK MN  
Telephone: 612-760-1489 E-Mail: \_\_\_\_\_

You can sign the petition at

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C

Thank you,

Name: Curtin Rand

Address: 6700 M. Hennepin Blvd

City/State/zip: St Louis Park MN 55426

Telephone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

You can sign the petition at

[SafetyInThePark.com](http://SafetyInThePark.com)

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C

Thank you,

Name: 

Address: 8435 Forest view Ln. N.

City/State/zip: Maple Grove MN. 55369

Telephone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

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C

Thank you,

Name:

Michael G. Baird

Address:

6700 Minnetonka Blvd.

City/State/zip:

St. Louis Park MN. 55426.

Telephone:

952-95-9029.

E-Mail:

mgbaird@getthetruth.org

You can sign the petition at

[SafetyInThePark.com](http://SafetyInThePark.com)

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C
---

Thank you,

Name: Joanie Levinsohn

Address: 250 Turners Crossroad #222

City/State/zip: Golden Valley, Mn. 55416

Telephone: 763-519-0591 E-Mail: yeshe38@yahoo.com

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C
---

Thank you,

Name: Laurah Rae Hedlund  
Address: 2705 Lynn Ave S.  
City/State/zip: St Louis Park, MN 55416  
Telephone: 952-926-6467 E-Mail: None

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C
---

Thank you,

Name: Karla Lambert  
Address: 1402 5th St South  
City/State/zip: Hopkins MN 55343  
Telephone: 952-935-8531 E-Mail: \_\_\_\_\_



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C

Thank you,

Name: Gay H RaynerAddress: 421 Cedar StCity/State/zip: FARMINGTON, MN, 53024Telephone: 612 384 4279E-Mail: gayhart.rayner@comcast.net

Comcast



RECEIVED  
DEC 31 2012  
B.C.

SW LRT COMMENTS  
701 FOURTH AVENUE S  
SUITE 400  
MPLS, MN 55415



To:  
 Hennepin County Housing, Community Works & Transit  
 ATTN: Southwest Transitway  
 701 Fourth Avenue South, Suite 400  
 Minneapolis, MN 55415  
[swcorridor@co.hennepin.mn.us](mailto:swcorridor@co.hennepin.mn.us)



cc:  
 Marisol Simon Regional Administrator  
 Region V Federal Transit Administration  
 200 West Adams Street Suite 320  
 Chicago, Illinois 60606  
[Marisol.simon@fta.dot.gov](mailto:Marisol.simon@fta.dot.gov)

12/27/12

Dear Southwest Transitway Project Planners,

La Asamblea de Derechos Civiles (The Assembly for Civil Rights) is a faith-based organization based in the Twin Cities. We organize to build leadership in our community and act in collective power to change the politics that affect the destiny of our people. Our primary constituency is made up of Latino immigrants from local Catholic churches and our organizational leadership is reflective of this.

We see upcoming transit investments as an opportunity to increase access to higher education, workers rights, and the opportunity to participate in decision making that our community is often excluded from. However, we are also mindful of the destructive element transit oriented development can sometimes have in terms of gentrification and displacement. We are organizing Latino faith community members, workers and residents in Hopkins around the impacts of the proposed Southwest LRT project. We are working in partnership with New American Academy and the Blake Road Corridor collaborative in raising the voice of underrepresented communities.

Over the last few days we have visited several Hopkins apartment complexes and worksites for face-to-face conversations with members of our community who will be impacted by the project. In these conversations, it has been striking the number of people who were hearing about the project for the first time. Some of the concerns that have come up most often have been affordable housing and access to jobs and economic development. As of this date, we have collected 36 postcards supporting the preservation and expansion of affordable housing in Hopkins, and for low-income people, immigrants and people of color to benefit from living wage jobs and economic development. We have delivered these cards to you so they can be included as comments for the DEIS.

**M5**

We are concerned at the potential displacement of low-income people, immigrants and communities of color living close to station areas once the line is built. Our organization has seen firsthand the devastation of immigrant communities being displaced as a result of transportation projects and redevelopment in recent years. Therefore we believe that displacement must be avoided at all costs. We have worked hard to establish ourselves in communities like Hopkins, to contribute to the local

economy, schools and social fabric. We should be seen as a permanent asset to this community, not as transients who can be brushed aside inconsequentially. We also believe that we should be proactively included in access to new living wage jobs and the benefits of economic development in the area.

M5

We feel that in its current form, the Draft Environment Impact Statement is too vague when it comes to the project impact on Latinos and other environmental justice communities. It only briefly mentions the risk of gentrification and displacement impacting environmental justice communities. We feel that our community deserves more detailed information about these potential risks. How many people are at risk of being displaced by loss of affordability or change of use? What percentage of them are low-income immigrants and/or people of color? A recent study by the Housing Preservation Project suggested that near the Blake Road stop alone, 5 Affordable Housing Projects with over 1,000 units were at risk. The Draft Environmental Impact Statement should have more information about who lives in those units and what would happen to them if they are forced to leave.

M5

We would also like to see more information about mitigation efforts, and specific plans to avoid displacement and ensure access to opportunity for people from our community. Will hiring for new jobs be done equitably? Will immigrants face any unique barriers? Will our community have access to training and certification programs necessary to be considered? Will these new jobs provide workers a living wage? These are important questions in balancing the impacts of this project on our community.

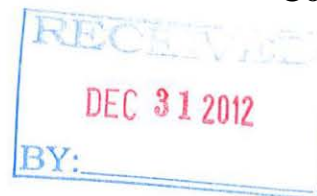
In conclusion, we recommend that a deeper analysis of potential threats and opportunities for Latinos and other low-income communities of color be undertaken to ensure equitable outcomes. As we continue to engage members of our community about this project, we will encourage them to express their hopes and concerns. Please consider La Asamblea a constructive resource and partner in achieving just outcomes for this project.

For questions, please contact Pablo Tapia, Co-Founder and Lead Organizer, at 651-208-7896 or [ptmendoza@hotmail.com](mailto:ptmendoza@hotmail.com).

Sincerely,







To Whom It May Concern:

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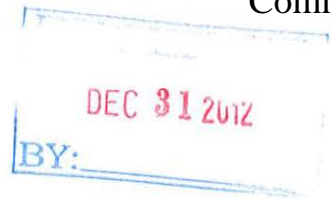
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C

Thank you,

Name: BILL WENDLANDT  
 Address: 2985 ZABIAN  
 City/State/zip: ST. LOUIS PARK, MN  
 Telephone: 612.558.6101 E-Mail: billking@earthlink.net



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C

Thank you,

Name: Pat Olin

Address: 2920 Zarthan

City/State/zip: St Louis Park

Telephone: 952-929-306 E-Mail: PTOlin@juno.com



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C

Name: Jerry Vasquez  
 Address: 3351 Brunswick Ave So  
 City/State/zip: St Louis Park, MN 55414  
 Telephone: 952-926-2921 E-Mail: tnsjmv@msn.com



DEC 31 2012

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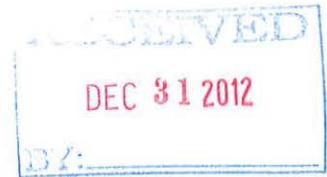
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E9

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Name: Terri SpencerAddress: 3351 Brunswick Ave S.City/State/zip: St Louis Park, MN 55416Telephone: 952-926-2921E-Mail: terri.spencer@minneapolismn.gov



# SOUTHWEST TRANSITWAY

## DRAFT ENVIRONMENTAL IMPACT STATEMENT COMMENTS

Prepared By:

**Safety in the Park**

safetyinthepark@gmail.com

St. Louis Park, MN 55416

*THIS COVER SHEET TO BE PAIRED UP WITH SAFETY IN THE PARK'S COMMENTS. THIS IS BEING ATTACHED TO SHOW THE PHYSICAL ADDRESSES OF THE CO-CHAIRS IF NEEDED. SEE BELOW*

December 28, 2012

Thom Miller, Co-Chair  
Safety in the Park

2900 YOSEMITE  
AV. S.  
ST. LOUIS PARK  
MN, 55416

December 28, 2012

Jami LaPray, Co-Chair  
Safety in the Park

3236 CLARKSTONE  
AV.  
ST. LOUIS PARK,  
MN, 55416



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C

Name: Nelda Schipper  
Address: 3312 Alabama Avenue South  
City/State/zip: St Louis Park Mn. 55416  
Telephone: 952 925-1800 E-Mail: NONE

AND

CRAIG SYLVESTER

PATRICIA KAY LIEN

3334 ALABAMA AV. S.

ST. LOUIS PARK, MN, 55416

612-710-4745

DEC 31 2012

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In detail, the re-route will allow a 788% increase of rail cars traffic. The increase of freight exposure will directly and negatively impact the community health and cohesion of the neighbors adjacent to the tracks. In addition, there will be negative impacts to the school system and educational quality within St Louis Park, including the decreased safety of students at the High School.

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school-children, our local businesses, and our residents.

C

Name: Christa Sack  
Address: 6025 W. Lake St.  
City/State/zip: St. Louis Park, mn 55416  
Telephone: 952 928 9077 E-Mail: lightbrightperiodot

@yahoo.com

DEC 31 2012

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I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school-children, our local businesses, and our residents.

C

Name: Natalie Johnson  
Address: 3339 Brunswick Ave S.  
City/State/zip: St. Louis Park, MN 55416  
Telephone: 102-703-3471 E-Mail: natjohnson2@gmail.com

DEC 31 2012

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I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school-children, our local businesses, and our residents.

C

Name: Elwood Knowles

Address: 3348 Alabama Ave

City/State/zip: St Louis Park Mn 55416

Telephone: 952-929-6858

E-Mail: Dragonlady\_101@comcast.net

*Elwood H Knowles*





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C

Name: Deborah Novatney  
 Address: 3340 Alabama Ave S.  
 City/State/zip: St Louis Park, MN 55416-2012  
 Telephone: 952 927 0847 E-Mail: \_\_\_\_\_

*Not only are you putting the safety of our students in harm way but you are taking away their right to learn in a quiet school building with out the freight train noise at their doorstep!!*

RECEIVED  
DEC 31 2012

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C

Name: Ladanna + George Reynolds  
Address: 3320 Alabazga Ave S.  
City/State/zip: St. Louis Park, Mn. 55416  
Telephone: 952-929-1402 E-Mail: \_\_\_\_\_

RECEIVED  
DEC 31 2012

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C

Name: Margaret Wenner  
Address: 3369 Brunswick Ave S  
City/State/zip: St. Louis Park, MN 55416  
Telephone: 952.924.0482 E-Mail: mcwenner@msn.com





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C

Name: Judy Bekkerus Bonnie Bekkerus  
 Address: 3375 Brunswick Ave So  
 City/State/zip: St. Louis Park Mn 55416  
 Telephone: 952 926 6624 E-Mail: jbekkerus65@gmail.com

To Whom It May Concern:

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C

Thank you,

Name: Dawn Fish & Lorne Brunner  
Address: 2801 Florida Ave So  
City/State/zip: SEP  
Telephone: 651-247-5884 E-Mail: dawnmfish@gmail.com



To Whom It May Concern:

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

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C

Thank you,

Name: NATHAN WILLENBRING

Address: 2816 FLORIDA AVES

City/State/zip: ST LOUIS PARK, MN 55426

Telephone: 612-812-2344 E-Mail: nathan.willenbring@gmail.com



To Whom It May Concern:

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

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C

Thank you,

Name: \_\_\_\_\_Jennifer Willenbring\_\_\_\_\_

Address: \_\_\_\_\_2816 Florida Ave South\_\_\_\_\_

City/State/zip: \_\_\_\_\_St Louis Park, MN 55426\_\_\_\_\_

Telephone: \_\_\_\_\_612.702.9230\_\_\_\_\_ E-Mail: \_\_\_\_\_jenniferwillenbring@gmail.com\_\_\_\_\_

*Jennifer Willenbring*

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C

Thank you,

Name: Paige Prestholdt  
 Address: 2849 Florida Ave S  
 City/State/zip: St Louis Park MN  
 Telephone: 952-593-5691 E-Mail: paigeprestholdt@gmail.com



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C

Thank you,

Name: Amy Fokuo  
 Address: 2816 Zarthan Ave S  
 City/State/zip: St Louis Park Mn 55416  
 Telephone: 952-807-3428 E-Mail: Amyfokuo@gmail.com





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C

Thank you,

Name:

Duke Fokuo

Address:

2816 Zarthan Ave S., St. Louis Park, MN 55416

City/State/zip:

St. Louis Park, MN 55416

Telephone:

952-807-3427

E-Mail:

dukefokuo@yahoo.com



DEC 31 2012

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Thank you,

Name: Renée Beltrand  
Address: 2805 Zarthan Ave S  
City/State/zip: St Louis Park MN 55416  
Telephone: 952-426-0904 E-Mail: bergbeltrand@hotmail.com



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C

Thank you,

Name: Scott Zinnel  
 Address: 2869 Zarthan Ave N.  
 City/State/zip: St. Louis Park, MN 55416  
 Telephone: 952-925-3556 E-Mail: scott.zinnel@idq.com

To Whom It May Concern:

RECEIVED  
DEC 31 2012

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C

Thank you,

Name: Peter Fiove  
 Address: 2919 ZARTHAN AVE S  
 City/State/zip: ST. LOUIS PARK MN, 55416  
 Telephone: 952-237-5239 E-Mail: PFIOVE07@gmail.com

*Peter Fiove*





To Whom It May Concern:

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C

Thank you,

Name: Sean O'Donnell  
Address: 2937 Earthen Ave  
City/State/zip: St. Louis Park MN 55416  
Telephone: 612-518-1268 E-Mail: sean.m.odonnell@hotmail.com

DEC 31 2012

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C

Thank you,

Name:

Jennie Hedlund

Address:

2949 Zarthan Ave S

City/State/zip:

St Louis Park, MN 55416

Telephone:

612-578-1108

E-Mail:

jennie.55416@gmail.com

Jennie Hedlund



December 28, 2012

To Whom It May Concern:

Hennepin County's SWLRT DEIS is a flawed document. Hennepin County was supposed to have studied co-location of freight traffic with the proposed LRT line through the Kenilworth corridor, but after reading through chapter three especially, it is clear that the county never had any intention of looking at the possibility of co-location.

Because Hennepin County has failed to objectively study the possibility of co-location—a much safer and less-expensive option, we must write in our objections. The grassroots organization of the residents of St. Louis Park, Safety in the Park!, has put together a comprehensive, cogent response, and we would like to attach their work as representative of what we would like to say about the SWLRT DEIS.

Sincerely,

  
  
Michael A. Kottke

Kathryn M.

C

T1

T3

T0

K0

K3

S1

See Comment #508 for  
Theme Delineations for  
Safety in the Park  
attachment.

# **SAFETY IN THE PARK!**

## **RESPONSE TO THE SOUTHWEST LIGHT RAIL TRANSIT PROJECT-- DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) DECEMBER 30, 2012**

### EXECUTIVE SUMMARY

**Safety in the Park** is a St. Louis Park, Minnesota grassroots, non-partisan neighborhood organization. Safety in the Park promotes safety and livability by working with the county, city, and state to create an alternative solution for proposed increases in freight rail traffic on the former Minneapolis Northfield and Southern (MN&S) Railroad tracks. Safety in the Park is politically unaffiliated and does not endorse any candidates for political office. Safety in the Park represents a large community of concerned citizens in St. Louis Park as evidenced by the attached 1,500 plus signatures on our petition. Safety in the Park welcomes the addition of Southwest Light Rail Transit to St. Louis Park and supports its implementation.

The MN&S freight rail relocation portion of the SWLRT-DEIS is not in the best interests of public safety, railroad operating efficiency or conserving public funds.

**History of the proposed relocation:** In the mid-1990s the Minnesota Department of Transportation (MnDOT) and Hennepin County decided to sever, instead of grade separate, the Milwaukee Road railroad line at Hiawatha Avenue and the repercussions of that decision remain to this day.

Because there is no documentation of analysis or of public input, it can only be assumed that MnDOT and Hennepin County blithely displaced freight traffic from a major piece of railroad infrastructure, the 29th Street corridor and planned to move the freight to the "preferred location" on the MN&S a little-known, little-used former electric interurban line, and gave no thought to the negative impact of this action. Due to contaminated land the move to the MN&S was delayed and the freight trains were instead moved to the Kenilworth Corridor which was owned by the Hennepin County Regional Rail Authority (HCRRA).

Since the move to the to Kenilworth Corridor, the HCRRA has worked tirelessly to remove the freight from the Corridor and establish the freight in MnDOT's "preferred location," the MN&S. Each time MnDOT or the HCRRA brings up the wish to move the freight traffic the City of St. Louis Park has answered with a resolution stating that re-routed freight traffic would not be welcomed in the city. The first resolution was passed in 1996 with subsequent resolutions in 2001, 2010 and 2011.

Instead of honoring the resolutions and negotiating a compromise, the HCRRA has repeatedly ignored the St. Louis Park resolutions, maligned and marginalized the residents of the MN&S study area and then moved forward with its plans citing "promises made " to the residents of the Kenilworth area as the reason for the action. These promises have no foundation in fact; documentation of the specific nature of the promises, who made the promises and to whom they were officially made, and why the alleged promises should be afforded the weight of public policy, does not exist.

On May 16, 2011 MnDOT issued an Environmental Assessment Worksheet (EAW) that spelled out how a re-route of freight traffic from the Bass Lake Spur owned by the Canadian Pacific Railroad (CP) to the MN&S Spur also owned by the CP might take place. The City of St. Louis Park and Safety in the Park appealed the findings of the EAW document. The EAW was later vacated and is no longer a valid document.

On September 2, 2011 the Federal Transportation Administration officially added the MN&S re-route to the SWLRT project.

**SWLRT-DEIS :** The proposed MN&S re-route is included the SWLRT-DEIS due to the FTA's September 2, 2011 mandate that the re-route be considered a part of the SWLRT project. For 3A (LPA, relocation) to work the MN&S re-route must occur, making the re-route part of the SWLRT and not a connected action. As part of the SWLRT project the MN&S re-route must be included in the "study area" on a regular and consistent basis but the SWLRT-DEIS fails in this regard and violates the essential purpose of the National Environmental Protection Act (NEPA). The purpose of NEPA is to ensure that environmental factors are weighted equally before an infrastructure project can be undertaken by a federal agency. The omission of the proposed re-route leads to incorrect conclusions about the cost of the SWLRT.

Safety in the Park demands that relocation of freight traffic be analyzed as diligently as the rest of the SWLRT project. Unless the current version of the SWLRT-DEIS is amended significantly, the health, well-being and safety of St. Louis Park residents will be compromised by the proposed relocation of mainline freight rail traffic from the Bass Lake Spur onto the MN&S Spur. More than 1,500 residents have signed a petition insisting on fair treatment by the government agencies proposing the relocation.

Concerns about the inconsistencies in the SWLRT-DEIS can be found in detail in the following summary:

- Lack of reasoning behind the need for the re-route due to the fact that a viable, less costly and safer option exists with co-location of freight traffic and SWLRT in the Kenilworth Corridor (Chapter 1)
- Lack of concern for Interstate Commerce
  - The late notification about the existence of the SWLRT-DEIS to the Surface Transportation Board (STB) Wednesday, November 28, 2012
  - Implementation of SWLRT could cause disruption of rail service to TC&W clients (Chapter 1)
  - The Memo Dated December 10, 2012 from the STB to the FTA received incomplete answers. (Chapter 1)
- Lack of public input and documentation (Chapters 2 and 12)
  - No documentation of analysis for determining MN&S as preferred location for freight after the freight tracks in the 29th Street Corridor were severed
  - No documentation of promises made to the residents of Kenilworth area
  - The MN&S re-route was not part of the scoping and decision making when route 3A (LPA, relocation) was chosen
- Lack of accurate study into the direct impacts of the proposed relocation with respect to
  - Social Impacts (Chapter 3)
  - Environmental Impacts (Chapter 4)
  - Economic Effects (Chapter 5)
  - Transportation Effects (Chapter 6)
  - Section 4(f) Evaluation (Chapter 7) - Specifically the use of 0.81 acres of Cedar Lake Park which is currently being used for freight trains.
- Lack of inclusion of methodology used to determine the cost of the SWLRT project. (Chapter 8) This lack of methodology is particularly glaring in light of the fact that a \$100,000,000 "typo" occurred
- Lack of an analysis of the indirect and cumulative impacts caused by the proposed freight relocation (Chapter 9)
- Lack of analysis of Environmental Justice (Chapter 10)
- Lack of 23 CFR 771.111(f) analysis to determine if the relocation of freight is "feasible or prudent" (Chapter 11)

**Action requested:** Halt any decision on the freight relocation issue until further study is completed such that the missing information and flawed assumptions can be addressed. This secondary study needs to have a scope agreed upon by the city of St. Louis Park, Safety in the Park, and railroad companies. Furthermore, the secondary study must be conducted by a government agency and engineering firm not previously associated with the proposed re-route.

Once the new study is completed, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed re-route prior to making decisions.

**Conclusion of analysis of this SWLRT-DEIS response:** Applying the "test" from 23 CFR Sec. 774.17 reveals that the proposed reroute in LRT 3A (LPA) is neither "feasible nor prudent." Therefore, the use of 0.81 acres of Cedar Lake Park according to the Act of 1966 codified at 49 U.S.C. 303 and 23 U.S.C. 138 will not impede the building of SWLRT.

LRT 3A-1 (Co-location) best meets the Southwest Transitway project's Purpose and Need Statement as expressed by the goals of improving mobility, providing a cost-effective and efficient travel option, preserving the environment, protecting quality of life, supporting economic development, and developing and maintaining a balanced and economically competitive multimodal freight system. **In light of the facts presented in this SWLRT-DEIS response Safety in the Park recommends that LRT 3A-1 (Co-location) be chosen as the only viable option for SWLRT.**



## CHAPTER 1 - PURPOSE AND NEED FOR THE PROPOSED ACTION:

1.0 - The essential purpose of the National Environmental Protection Act (NEPA) is to ensure that environmental factors are weighted equally before an infrastructure project can be undertaken by a federal agency. The SWLRT-DEIS does not fulfill the essential purpose of NEPA. The SWLRT-DEIS is not an objective analysis of the environmental impacts of the proposed freight rail re-route (3A, LPA re-route) and the proposed co-location freight rail alternative (3A -1 LPA co-location). Instead of being objective the SWLRT-DEIS is written as an advocacy for the favored outcome. SWLRT-DEIS employs a variety of methods to mislead the reader and the Federal Transportation Administration into believing that co-location is not a "feasible or prudent" (NEPA [23 CFR 771.111(f)]) alternative, when in fact the exact opposite is true. The methods used include, but are not limited to inconsistent use of vocabulary, highlighting aspects of co-location while glossing over the same aspects of relocation, manipulation of the co-location site to include more area and completely omitting information about the re-route option that would call the feasibility of that option into question.

1.1 - Although Safety in the Park! does not disagree with the need for the Southwest Light Rail Transit (SWLRT) Project, we do disagree with the need for the re-routing of freight trains from what is referred to in the SWLRT - DEIS as the Canadian Pacific(CP) Bass Lake Spur to the Minneapolis, Northfield and Southern ( MN&S) Subdivision and the Burlington Northern Santa Fe (BNSF) Wayzata Subdivision. Using the term "Subdivision" in relation to the MN&S is not only incorrect it but it is also misleading. According to officials at the CP the correct classification of the MN&S is a spur line that is part of the Paynesville Subdivision. The use of the term subdivision when describing both the MN&S and the BNSF in St. Louis Park misleads the reader into thinking the MN&S and the BNSF are similar if not equal in layout and usage. This could not be further from the truth. The Bass Lake Spur and the BNSF Wayzata Subdivision were both built to Main Line rail specifications. They both have wide R-O-W, few if any at grade crossings and they are relatively straight and free of grade changes. Conversely, the MN&S was built as an electric interurban and like all interurban has tight R-O-W, multiple aggressive curves and significant grade changes. Furthermore, the addition of the connections between these freight rail lines will increase both curves and grades on the MN&S. The connection between the Bass Lake Spur and the MN&S will have an eight degree curve and a grade of .86%. While the connection between the MN&S and Wayzata Subdivision will have a four degree curve and a 1.2% grade differential. (SWLRT-DEIS Appendices F parts 2 and 3 and SEH [http://www.stlouispark.org/webfiles/file/community-dev/techmemo\\_4.pdf](http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf)) Adding to the misrepresentation of the different rail lines is the name given to the rail property owned by the Hennepin County Regional Rail Authority, locally and recently known as the Kenilworth Corridor. This "corridor" was until it was purchased by Hennepin County a major, mainline rail yard called the Kenwood Yard. This yard held as many as 14 sets of railroad tracks and with the exception of a short section, the land used as a rail yard has not been built upon.

The misrepresentation continues at the bottom of page 1-1 of the SWLRT-DEIS in the second bullet point which states, "The co-location of LRT and TC&W freight rail service on reconstructed freight rail tracks on the CP's Bass Lake Spur and HCRRA's Cedar Lake (Kenilworth Corridor)" suggesting that the TC&W tracks in the Kenilworth Corridor had to be "reconstructed" when in fact they had never been removed, and only underwent repairs to put them back into service (1-1). (Safe in the Park - Chapter 1 Appendix - Document 4)

A formal abandonment process never took place (an outline of this history was found in a document,

T:\TRE\3aTransitPlanning\Kwalker\SLP\_FreightRail\BackgroundforHCRRA\_120709.doc, obtained from the HCRRA through the Freedom of Information Act). (Hennepin County Repair announcements August 27, 2012 - Safe in the Park - Chapter 1 Appendix - Document 4).

Further misuse of the term "abandoned" is found in the last paragraph on page 1-3, "The LRT line would operate in a combination of environments including operations in abandoned freight rail right-of-way (ROW) acquired by HCRRA, at-grade operations in street and trunk highway ROW, and operations in new ROW that would be acquired from public and private entities" (1-3). When the HCRRA purchased the property in question it was in disuse, but it had not formally abandoned, it was not in use. The difference appears subtle, but it is not. Formal abandonment requires a lengthy legal and administrative process to seek approval from the Surface Transportation Board, which only acquiesces when it has been convinced that the tracks are not needed by any customers or the overall rail system.

#### **1.1.1 - Public Involvement and Agency Coordination Compliance:**

During the scoping process portions of St. Louis Park were denied a voice. Potential participants in the scoping process were told that the freight rail issue did not belong in the discussions for a preferred alternative for the SWLRT. Consequently, the choice of LPA may have been different had the freight rail question been part of the discussion from the beginning. This issue will be documented and explored further in the Chapter 12 of the SWLRT-DEIS comment.

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### 1.2.1 - Early Planning Efforts

On pages 1-6 and 1-7 a list of documents used in early planning of the SWLRT is presented. However there are several important documents left off of the list. These documents are not favorable to SWLRT and therefore seem to have been ignored.

- 1996--City of St. Louis Park Resolution--96-73 (Safe in the Park - Chapter 1 Appendix - Document 1)
- 1999--St. Louis Park Task Railroad Study  
[http://www.hennepin.us/files/HennepinUS/Housing%20Community%20Works%20and%20Transit/Regional%20Railroad%20Authority/Authority/Railroad\\_Study\\_March\\_1999.pdf](http://www.hennepin.us/files/HennepinUS/Housing%20Community%20Works%20and%20Transit/Regional%20Railroad%20Authority/Authority/Railroad_Study_March_1999.pdf)
- 2001 City of St. Louis Park Resolution--01-120 (Safe in the Park - Chapter 1 Appendix - Document 2)
- 2010 City of St. Louis Park Resolution--10-070  
[http://www.stlouispark.org/webfiles/file/freight\\_rail.pdf](http://www.stlouispark.org/webfiles/file/freight_rail.pdf)
- Short Elliot Hendrickson Inc. (SEH)--Comparison of the MN&S route and the Kenilworth route--[http://www.stlouispark.org/webfiles/file/community-dev/techmemo\\_4.pdf](http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf)
- 2011 City of St. Louis Park Resolution 11-058  
[http://www.stlouispark.org/webfiles/file/community-dev/5-31-11\\_resolution\\_relating\\_to\\_freight\\_activity\\_in\\_slp.pdf](http://www.stlouispark.org/webfiles/file/community-dev/5-31-11_resolution_relating_to_freight_activity_in_slp.pdf)
- Evaluation of Twin Cities and Western Railroad responses(EAW)  
[http://www.mnsrailstudy.org/key\\_documents](http://www.mnsrailstudy.org/key_documents)

To understand the opposition to the proposed reroute the documents listed above must be included in an objective evaluation of re-route portion of the SWLRT project. Furthermore; the SEH study and the comments to the EAW need to be considered before a conclusion about the freight question in the SWLRT-DEIS can be made.

### 1.2.2 Environmental Review and Project Development Process

This DEIS fails to consider the environmental impacts of the proposed reroute portion of the SWLRT project , but instead promotes a course of action that will redistribute property values from lower income neighborhoods in St. Louis Park to higher income neighborhoods in Minneapolis. The result is a net decline not only of property values, but also to overall public safety of Hennepin County. The reason for the effort to promote the re-route option over the co-location option may be based on undocumented promises touched on in the link below:  
[http://hennepinmn.granicus.com/MediaPlayer.php?view\\_id=10&clip\\_id=1459](http://hennepinmn.granicus.com/MediaPlayer.php?view_id=10&clip_id=1459) (F)11-HCRR-0072

On July 20, 2010 a member of St. Louis Park City Staff requested documentation of the analysis that allowed MnDOT to designate the MN&S as the "preferred location" for TC&W freight traffic after the freight tracks were severed while rebuilding Hiawatha Ave. No documentation was ever received by the City of St. Louis Park. (Safe in the Park - Chapter 1 Appendix – Document 3)

1.2 and 1.2.1: Paragraphs discuss the Scoping Process that should comply with MEPA and NEPA rules pertaining to open-to-the-public meetings, comment sessions, and other public comments options with regard to the Alternatives Analysis. The DEIS admits during that time the city of St. Louis Park, residents and businesses were instructed in writing that the freight rail reroute was a separate issue not to be considered with the SWLRT. Therefore the entire time of "public comment" to decide the AAs should be considered null and void because citizens and municipalities were not properly informed of the environmental impacts of the LPA (1-6). During this same time the HCRRA was aware of resolutions made by more than one St. Louis Park City Council opposed the re-routing of freight trains. Had the reroute been considered a connected action during that time, it may have significantly changed support for the LPA by the city of St. Louis Park. Although the process may not have legally violated MEPA and NEPA standards, it did violate the spirit of the law.

#### **1.3.2.1 - Declining Mobility**

The SWLRT-DEIS continues its misrepresentation of information in its discussion of declining mobility. At the bottom of page 1-9 and the top of page 1-10 a list of current "employment centers" is given. The second item in a bullet point list is "St. Louis Park's Excelsior and Grand – 10,000 jobs" (1-9, 1-10). This information is false. According to the City of St. Louis Park web-site demographics of employment ([http://www.stlouispark.org/webfiles/file/stats/employment\\_stats.pdf](http://www.stlouispark.org/webfiles/file/stats/employment_stats.pdf)) there are a total of 10,078 jobs in St. Louis Park. Many of these jobs are not near the proposed SWLRT alignment. The list on the city web site does not assign any number of jobs to the Excelsior and Grand area.

Following the list of "employment centers" (1-10), there is a general discussion about the congestion that could occur should the SWLRT not be built. This information is based on the United States Census conducted in the year 2000. The U.S. Census web site no longer shows census data from the year 2000 (<http://quickfacts.census.gov/qfd/states/27000.html>) making substantive comment on the data in SWLRT-DEIS impossible for the average resident of Hennepin County. Also, based on this old, unavailable information that does not take into account the downturn in the economy in 2008, vague generalizations are made. For example: "Current express bus travel times may increase, despite the current use of shoulder lanes" (1-10).

A simple if/then statement can be used to sum up and sow doubt on the conclusions made. If the information about St. Louis Park is false then what other information in the document is false?

### **1.3.2.2 - Limited Competitive, Reliable Transit Options for Choice Riders and Transit Dependent Populations including Reverse Commute Riders**

Information and generalizations based on the unavailable and outdated 2000 Census are used and therefore all of the DEIS' conclusions are brought into question. When the 2000 Census is not the source of information the exact source and date of the information is often not provided. An example from page 1-10 of the SWLRT- DEIS is a case in point. "A number of major roadways in the study area such as TH 100 and TH 169 are identified by MnDOT as experiencing congestion during peak periods." (1-10) Who at MnDOT made this assertion? When was it made? Was the upcoming rebuild of TH 100 in St. Louis Park taken into account? (<http://www.stlouispark.org/construction-updates/highway-100-reconstruction.html>)

Although the information in section 1.3.2.2 does not discuss the proposed re-route portion of the SWLRT, it does speak to the general misrepresentation of information in the SWLRT.

### **1.3.2.3 - Need to Develop and Maintain a Balanced and Economically Competitive Multimodal Freight System**

It is easy to agree in theory with the need for a vibrant freight rail system in a growing economy. However, the unsubstantiated and false assertions in this section make it impossible to agree that rail connections between the Bass Lake and MN&S spurs and the MN&S spur and the BNSF Wayzata subdivision are necessary for the greater good.

The SWLRT-DEIS states, "The construction of a new connection between the Bass Lake Spur and the MN&S Spur, a new connection between the MN&S Spur and the BNSF Wayzata Subdivision, and the upgrading of track on the MN&S Spur are included as recommended actions in the Minnesota State Rail Plan" (1-12). No citation is provided as to where in the Minnesota State Rail Plan this assertion can be found. Presented on pages 4-11 and 4-12 of the Minnesota State Rail Plan

(<http://www.dot.state.mn.us/planning/railplan/finalreport/MNRailPlanFinalReportFeb2010.pdf>) are text and charts describing the upgrades needed to both the BNSF and the CP prior to 2030.

There is no mention of the connections mentioned in the SWLRT-DEIS (4-11& 4-12).

It needs to be noted that the new construction discussed in the SWLRT-DEIS is the same plan used in the EAW vacated by MnDOT on December 20, 2011 (SWLRT-DEIS Appendix F parts 2 and 3). This plan was rejected as unworkable by the TC&W railroad in their comments to the EAW.

([http://mnsrailstudy.org/yahoo\\_site\\_admin/assets/docs/Railroad\\_Comments.18891450.pdf](http://mnsrailstudy.org/yahoo_site_admin/assets/docs/Railroad_Comments.18891450.pdf) )



The next three sentences in this section are also misleading. "Providing a direct connection to the north- south MN&S line would improve accessibility to CP's Humboldt yard. Currently TC&W interchanges with the CP at their St. Paul yard. Although the Humboldt Yard is much closer, the inefficiency of the existing connection is so great that the extra distance to St. Paul is less onerous" (1-11 and 1-12). These sentences imply that most if not all of the TC&W's business is with the CP. They also mistakenly imply that the TC&W will be happy to get the connection because it will improve the company's efficiency. However, the comments made by the TC&W in the EAW show just the opposite ([http://www.mnsrailstudy.org/key\\_documents--TC&W comments](http://www.mnsrailstudy.org/key_documents--TC&W_comments), page 1, last paragraph; also page 3, first bullet point under "Inaccuracies in the EAW..."). The STB Memorandum to Federal Transit Administration, Region V: Questions and Responses for Surface Transportation Board dated December 10, 2012 received incomplete responses about the interconnection needed for the relocation plan to work. The maps given to explain the new interconnects lacked reference to the extreme grade changes that will take place. Figure 1: Relocation Alternative, MN&S Spur does not indicate the need for a mile long ramp to accomplish the .86% grade ([Figure 1: Relocation Alternative, MN&S Spur](#)) needed to connect the Bass Lake Spur to the MN&S Spur. Furthermore, Figure 3: Relocation Alternative, Re-Established Connection does not describe the 1.2% grade needed to reestablish the connection between the MN&S Spur and the Wayzata Subdivision. ([Figure 3: Relocation Alternative, Re-Established Connection - MN&S Spur to Wayzata Sub](#))

Missing completely from the discussion of the TC&W using the MN&S Spur to go to the Humboldt Yards in New Hope is the impact the added freight traffic will have on Northern St. Louis Park, Golden Valley, Crystal and New Hope. In St. Louis Park alone there are two at grade rail crossings on the MN&S north of the BNSF. One of the crossings is Cedar Lake Road, a major east/west roadway through St. Louis Park yet the SWLRT does not document the traffic counts and the impacts of the crossing being closed on a regular basis.

Reading the last sentence in the first full paragraph of page 1-12 and the non sequitur of the next full paragraph continues the misleading information.

*"The proposed connection in St. Louis Park allows the TC&W an alternate route at those times when the BNSF route is not available."*

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*Moving commodities along freight rail lines rather than by semi-trailer truck on the roadway system has a significant effect upon the region's mobility. TC&W reports that an average train load equates to 40 trucks on the roadway system. Maintaining freight rail connections as a viable method for transporting goods to, from, and within the Twin Cities region contributes to the healthy economy of this region. As the roadway network continues to become more and more congested, moving commodities by freight rail will become more competitive" (1-12).*

Placement of the above passage in the context of the discussion of the MN&S interconnects implies that without the interconnects the TC&W will have no choice but to use semi-trucks to move their freight. The HCRRA's praise for the economic and environmental virtues of freight railroads is laudable but at odds with HCRRA's continuing long-term policy of pushing freight rail traffic to ever more marginal scraps of infrastructure. Examples of the HCRRA's displacement of freight railroad traffic from their purpose-built and most direct and efficient routes includes the closure of the former Milwaukee Road mainline that was used by the TC&W and ran below grade through south Minneapolis, and the constriction of the BNSF mainline adjacent to Target Field in Minneapolis. In both of these cases freight rail traffic ceded right-of-way to relatively frivolous purposes, a bicycle trail for the Milwaukee Road mainline and a sports stadium and bicycle trail that constricts the BNSF Wayzata subdivision. The wording of the DEIS uses the phantom assumption that the further constriction of the BNSF line at Target Field by the SWLRT is a fait accompli and re-routing the TC&W is the only alternative to trucking, but leaving the TC&W traffic in its current route provides it a straighter, flatter, safer, shorter, less costly and more direct route to its most important destination in St. Paul. There are other alternatives to placement of the SWLRT and the bicycle trail that will not constrict freight rail traffic at Target Field.

Severing the TC&W's current route through the Kenilworth Corridor as proposed by the SWLRT-DEIS would have the opposite effect of "maintaining freight rail connections as a viable method for transporting goods" (1-12).

The multitude of unsubstantiated and false assertions in this section make it impossible to agree that rail connections between the Bass Lake and MN&S spurs and the MN&S spur and the BNSF Wayzata subdivision are necessary for the improvement of the Twin Cities rail network. Therefore the bullet pointed benefits at the end of this section are not benefits under the current engineering plan in the SWLRT-DEIS.

- *Access to the Savage barge terminal would improve.* The SWLRT-DEIS only has one connection from the Bass Lake Spur to the MN&S Spur. That connection curves north. For the access to Savage to improve there would also need to be a connection from the Bass Lake Spur to the MN&S Spur curving south.
- *Access to CP's Humboldt Yard and other locations on the east side of the metropolitan area would be improved.* The Humboldt Yard is on the north side of Minneapolis, not the east side of the metropolitan area. The problem would not be the access itself, but with the lack of efficiency and economic benefit to the TC&W of that access. The TC&W comments on this point in their EAW comments.  
[http://www.mnsrailstudy.org/key\\_documents](http://www.mnsrailstudy.org/key_documents)
- *An alternate route that avoids the downtown Minneapolis passenger station would be available to the TC&W.* Again, the route would be available, but would not prove to be of an economic benefit.
- *The quality of the north-south rail line would be upgraded.* Because the overall benefit of the interconnection does not exist, there is no need to upgrade the current track. (1-12)

#### 1.4 - *Project Goals and Objectives*

The goals and objectives of the SWLRT-DEIS project are not applied equally to all residents in the study area and this is in violation of the essential purpose of NEPA. The 6 goals stated if implemented without alteration will have a detrimental impact on the residents of St. Louis Park. This details of the detrimental impact will be discussed further in this comment to the SWLRT-DEIS.

1. *Improve mobility* - Due to blocked crossings and the closed crossing at 29th Street mobility in the MN&S reroute area will decrease.
2. *Provide a cost-effective, efficient travel option* - The design as stated in the SWLRT - DEIS is not cost effective for the railroads, and there is no discussion of reliable funding for maintenance
3. *Protect the environment* - The environment in the vicinity of the MN&S will deteriorate. The problems include but are not limited to an increase of noise and vibration and diesel fumes from locomotives laboring to climb steep grades will impact air quality and the threat of derailment and crossing accidents impacts the safety of residents.
4. *Preserve the quality of life in the study area and the region* - Quality of life will decrease in the MN&S area.
5. *Support economic development* - Property Values and Small business will be negatively impacted.
6. *Support economically competitive freight rail system* - Should the proposed reroute be built the opposite to this goal will be accomplished. The rail system in St. Louis Park will not be safe, efficient or effective (1-13 & 1-14).

## CHAPTER 2 - ALTERNATIVES CONSIDERED

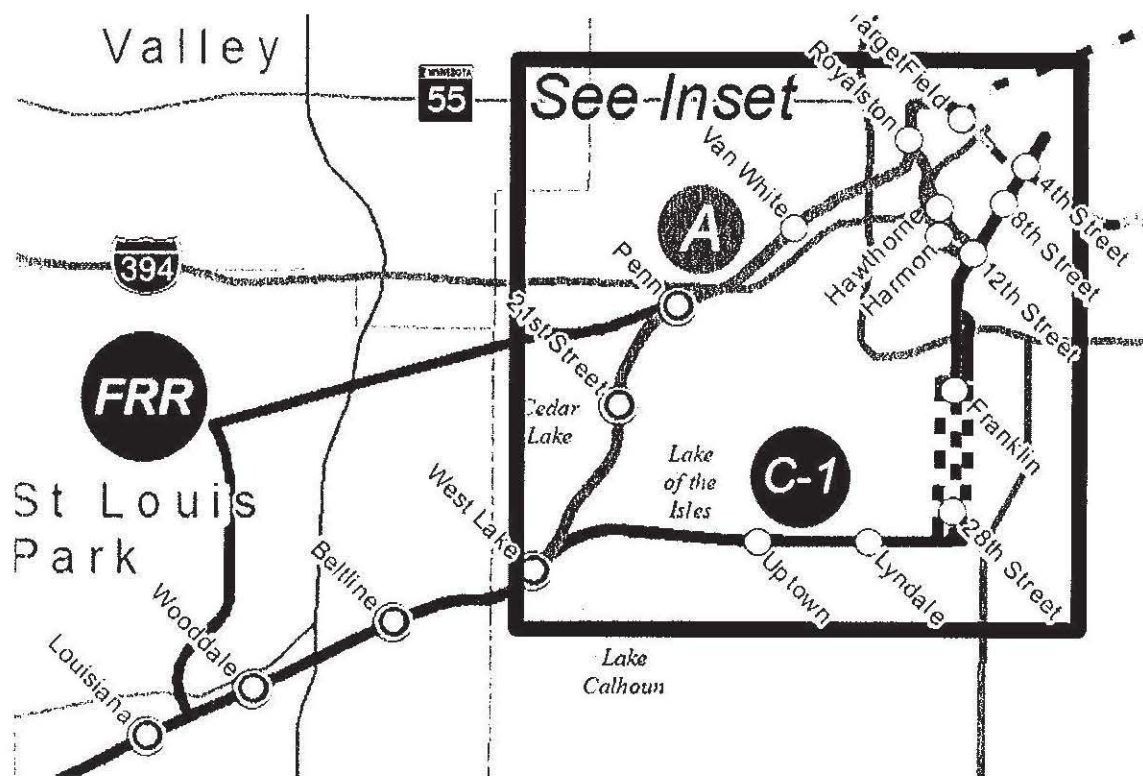
2.1.2 and 2.1.2.1: Paragraphs discuss the Scoping Process that should comply with MEPA and NEPA rules pertaining to open-to-the-public meetings, comment sessions, etc. with regard to the Alternatives Analysis.. However, as the DEIS admits; during that time the City Council of the city of St. Louis Park, the city's residents and businesses were instructed in writing that the freight rail was a separate issue not to be connected with the SWLRT. (The DEIS walks through those events in detail) Therefore this entire time of "public comment" to decide the alternatives should be considered null and void because citizens and municipalities were not properly informed of the environmental impacts of the LPA. That fact should void the entire process for selecting an LPA, an early step in the development of SWLRT, especially when considering that opposition to the re-route by the city of St. Louis Park was not merely implied but the topic of repeated resolutions passed by the city. The city's position was clear. Had the reroute been considered a connected action during that time, it may have significantly changed the question of support for the LPA by the city of St. Louis Park. Furthermore, the process was not consistent with MEPA and NEPA guidelines. Furthermore this influences all of the topics in the DEIS where it is noted that alternatives other than the LPA are not consistent with planned development. This phrase is used repeatedly and refers only to the fact that plans surround the LPA.

2.3.1.3 This is a discussion of the number of trains using the current route. This discussion is not up-to-date. The TCW has added additional trains in the last six months.

2.3.3.1: Discusses the easement rights of St. Louis Park for a portion of land. Though the easement is set aside for railroad development in St. Louis Park, the DEIS is written to appear as though St. Louis Park agreed to the re-route. As stated above, resolutions have repeatedly passed by the city opposing a re-route. In addition the state statute, 383B.81, is quite clear that the easement exists for railroad operations but DOES NOT provide any conditions for St. Louis Park agreeing to railroad operations, only that the land can be used for that purpose.

2.3.3.4 Build Alternative Segments: THERE IS A MAJOR FLAW HERE THAT AFFECTS THE ENTIRE DEIS. This section outlines the segments of the route to be analyzed throughout the DEIS but does so incorrectly. The FRR segment is correctly identified. However, segment "A" includes a long portion of track that will NOT BE AFFECTED by a re-route or co-location. It incorrectly adds all of the people, lands, buildings, institutions, etc. to the Segment "A" when that Section "A" should only include the area between the planned West Lake station and the planned Penn Station; the co-location area. The area from the planned Penn Station to the Target field station is common to both the FRR segment and Segment A. and effects in that area should not be attributed to any segment.







## CHAPTER 3 SOCIAL EFFECTS:

1-1.1 discusses the area studied--The study area is wholly incorrect in regard to the Freight Rail Reroute, and the areas chosen for study therefore affect all of the conclusions and render them inaccurate.

The DEIS discusses the area studied to be a ½ mile radius from the LRT track. However, that ½ mile radius is only applied to the LRT portion, not the FRR portion. The text says "the study area has been defined as the area within a one-half mile radius of the proposed Build Alternatives.... and includes the area of the Freight Rail Relocation segment." The ½ mile area of study does indeed include the FRR area, but does not include a ½ mile radius from the FRR (MN&S tracks). Therefore, much of the area that includes people, schools, institutions, and lands that will be affected by the re-route are not being tallied as an affected area.

An argument can actually be made that not only should the FRR track area of study be a ½ mile radius, but in fact because the weight, vibration, noise, etc. are greater for freight trains than light rail trains, an even broader area should be studied for the FRR.

In section 3.1.2.7, the reported MN&S land use is generalized as follows: the largest proportion of land use along this segment is at over 40% housing; park and undeveloped over 15%; schools about 7%, and industrial/retail/office about 7%. That these figures are generalizations ("over 40%" and "about 7%") indicates cursory attention to the affected areas. In addition, the land use area along the MN&S is not specified. The DEIS does not report the area being considered. To illustrate my point, it is stated that the co-location area of consideration is within ½ mile of the track, but there is nothing stated about the distance from the track for the reroute.

In section 3.1.2.4, the reported land use along the co-located route is far more specific, indicating careful study: 19.8% housing; 14.1% parks and open space; 10.7% water; and 11.3% industrial.

In spite of the fact that more than 70% of land use along the MN&S directly impacts human activity—but only 45.2% of land use surrounding co-location impacts human activity—the DEIS claims the reroute is the preferred option.

It is unacceptable that the decision to move main-line freight to a spur track be made without careful, serious study. Hennepin County has not seriously considered the negative impacts on community cohesion or safety impacts on residents, school children, and commuters within St. Louis Park. The DEIS fails to accurately or objectively report impacts on rerouted freight traffic.

3.1.8 Summary of Land Use: it's unclear why the 3A-1 is not compatible with existing land use and the 3A is when the freight trains currently run on 3A-1.

On the same summary under the metric: Consistent with adopted regional and local plans, the 3A-1 is listed as Incompatible. This is because the Met Council and others have simply planned for freight rail to go away. (See above argument about the choice of the LPA.

On page 3-15 in the land-use section, the DEIS claims that six separate studies “concluded the best option for freight rail operations was to relocate the TC&W freight rail operations to the MN&S line” (3-15). However, what is missing in chapter three is a list of these “six separate studies.” If the DEIS is referring to studies, then there are serious flaws in each “study,” including the fact that most of them are not true studies at all. The possible studies are listed and outlined in the document below:

### **Freight Rail Studies**

#### Freight Rail Realignment Study, TDKA—November 2009

- Undertaken for Hennepin County after the locally preferred alternative for SWLRT was chosen. Needed to support SWLRT locally preferred alternative
- No engineering took place

#### Analysis of co-location of Freight and SWLRT, HDR—August 2009

- Written for Hennepin County to support what is now the locally preferred option.
- No engineering took place

#### Evaluation of Twin City & Western Railroad (TCWR) routing alternatives, Amphar Consulting—November 2010

- Co-location and re-route are not discussed in this report.

#### Analysis of Freight Rail/LRT Coexistence, RL Banks—November 29, 2010

- December 3, 2010 – Francis E. Loetterle, lead engineer for RL Banks study issued a letter admitting mistakes made in co-location analysis.
- Study is flawed.

#### MN&S/Kenilworth Freight Rail Study, SEH—February 2011

- Used best-fit engineering
- Co-location and re-route possible **without** taking properties
- Co-location less costly

#### MN&S Environmental Assessment Worksheet (EAW), MnDOT—issued May 16, 2011

- Co-location not mentioned in this document
- December 19, 2011—EAW was vacated.
- It is no longer a valid document.

On page 3-22, the HCRRA Staff Report on Freight Rail Relocation (August 2011) is cited as evidence that relocation is the preferred option. Yet, when I click on the link, the web page cannot be found.

In section 3.1.3.1, the DEIS concludes that "re-locating the freight rail activity . . . is identified most frequently by the plans as being the desired alternative for the SW Transitway" (3-26). Further down, the DEIS includes **Table 3.1-2 Summary of Local and Regional Comprehensive Plans and Studies** (3-20 – 3-26) which identifies three plans that make co-location incompatible, but re-location the desired option.

The three plans are the *Hennepin Transportation Systems Plan* (2011), the *Hennepin County Sustainable Development Strategy 2011*, and the *Minneapolis Parks & Recreation Board Comprehensive Plan* (2007).

The link provided for the *Hennepin County Transportation Systems Plan* (2011) connects to a page that states, "The webpage cannot be found." Regardless, the fact that the plan was published in 2011—AFTER the Environmental Assessment Worksheet was vacated by MNDOT because the document couldn't defend its position to reroute freight traffic to the MN&S suggests the reroute plan by Hennepin County is biased and invalid.

The problem of validity is the same for the *Hennepin County Sustainable Development Strategy 2011*. However, this document is problematic for a variety of reasons. The link does not lead to a document that clearly states the co-location is incompatible with LRT, nor does it comment on rerouting freight from the Kenilworth Corridor to the MN&S at all. The following excerpts included below are the only comments in the document that allude to freight traffic:

Midtown Greenway: this six-mile linear corridor across south Minneapolis, opened in phases from 2000 – 2006, exemplifies how a multi-use trail through a low- and middle-income community can create jobs, stabilize property values, foster redevelopment, and encourage non-motorized transportation choices while preserving the opportunity for future transit. The success of this corridor has been enhanced by the Midtown Community Works Partnership, which has provided leadership through its public and business partners and resources for implementation. (9)

Southwest LRT Community Works: This project exemplifies the county's sustainable development strategy. The proposed 15-mile, 17-station Southwest LRT line, projected to open in 2017, will run from downtown Minneapolis to the region's southwestern suburbs. The project has advanced through a decade of feasibility studies, an alternatives analysis, and a draft environmental impact statement. A locally preferred alternative for the LRT line was selected in spring 2010. The project is expected to receive federal approval to enter preliminary engineering in spring 2011.

In anticipation of the Southwest LRT project's entry into preliminary engineering, the Hennepin County Board established the Southwest LRT Community Works project to integrate corridor-wide land use, development, housing, and access planning with the LRT line's engineering and design. Southwest LRT Community Works, in collaboration with the Metropolitan Council and its Southwest LRT Project Office, will integrate LRT engineering and land use planning from the outset of the preliminary engineering process. This coordinated work, which also engages the cities and many other stakeholders along the corridor, seeks to maximize economic and community benefits of public transit investments and stimulate private investment within the corridor. [See box for additional information]. (10)

[Box with additional information] ORGANIZATIONAL MODEL

To achieve the objective of integrating LRT engineering with land use and development planning, the county and the Metropolitan Council have jointly developed an innovative organizational model with the following features:

- Multiple organizational linkages between the SW LRT Project and the SW LRT Community Works project, including shared business and community advisory committees, to advise and inform both the SW LRT and the SW LRT Community Works governing bodies.
- A project office housing both the SW LRT project engineering and Community Works staff, including two full time professional staff, an engineer and a planner, charged with actively promoting and managing the dialogue between engineering and land use, both within the project office and throughout the community.
- Community meeting rooms and public space for residents to learn about the LRT project and review plans for associated development. Residents will also be able to submit ideas for consideration, view models of LRT and station area plans, and learn of scheduled public meetings and other community engagement opportunities.

Drawing on Community Works' successful program emphasis on employment development, community connections, natural systems, tax base enhancement, and public and private investment coordination, the county is updating old and adding new programmatic elements. These changes reflect the connections between housing, transportation, employment, environment, health, and energy and their emerging integration in national public policy, finance, and philanthropy. (11)

Place matters: While not highly prescriptive, county plans recognize the importance of transportation choices, enhanced economic competitiveness, and equitable, affordable housing in fostering sustainable communities. (11)

Finally, the *Minneapolis Parks & Recreation Board Comprehensive Plan* (2007) contains one brief excerpt included below that mentions transportation corridors, and again, there is no mention of freight traffic whatsoever:

Work with the City of Minneapolis and other entities to identify and support multi-mode transportation corridors between parks, with preference given to routes that encourage non-motorized linkages between parks. (24)

Section 3.1.3.1, "Land Use and Comprehensive Planning: Conclusions" states the following:

"Based on the analysis of local and regional plans and studies, it has been determined that . . . relocating the freight rail activity from the Kenilworth Corridor to the previously planned and existing CP Rail corridor through St. Louis Park (Figure 2.3-2), is identified most frequently by the plans as being the desired alternative for the Southwest Transitway" (3-26).

There is no mention in the "plans and studies" listed in the Land Use Chart of the four separate resolutions signed by St. Louis Park city councils and two different mayors in the document. These resolutions are outlined below. In addition, the St. Louis Park Mission Statement and Vision St. Louis Park are not included in the chart, but the visions and mission statements of Minneapolis are included. Nowhere in the vision statements of St. Louis Park is there a desire for rerouting freight traffic from the CP to the MN&S line. These St. Louis Park plans make rerouting freight the incompatible option.

#### **City Council Resolutions**

##### *St. Louis Park*

- 1996 resolution 96-73—Opposes any re-routing of freight trains in St. Louis Park. Signed by Mayor Gail Dorfman (now Hennepin County Commissioner)
- 2001 resolution 01-120—Opposes re-routing of freight in St. Louis Park, but points out that the city is willing to negotiate should the need arise.
- 2010 resolution 10-070—Reinforced the 2001 resolution opposing a freight rail re-route.
- 2010 resolution 10-071—Reinforced the 2001 resolution asking for proof that no other viable option for freight exists
- 11-058—Opposes the re-routing of freight because the engineering study commissioned by the city of St. Louis Park proved there is a viable alternative to the proposed re-route.

*Minneapolis* – There are no Minneapolis City Council Resolutions opposing freight continuing in the Kenilworth Corridor.



St. Louis Park did **NOT** agree to accept the re-route in exchange for the cleanup of a superfund site. Below is a link to the statute and an explanation of pertinent passages.

**MINNESOTA STATUTES 2010 383B.81 ENVIRONMENTAL RESPONSE FUND.**

- SUBD 6, which states that an easement is being granted to St. Louis Park for economic development and for rail improvements to replace the 29th St. corridor. This can be interpreted to sound like “it will replace the 29th St. corridor and freight trains will be re-routed” and that is why the city of St. Louis Park made their intentions clear in their resolutions. The resolutions were passed in 2001, 2010 and most recently May 2011.
- Nowhere does it state that this money is conditionally granted upon the land being used for a re-route. It merely states that the priority for the site is enough **right- of -way** for railroad operations to replace the 29th St. corridor
- SUBD 8, states that the city must approve any work done on the site.
- The statute is vague as to what the rail improvements would be. If the intent of the statute were to absolutely re-route freight trains to the MN&S, it would say so in those words.
- The reality: If this statute meant that SLP accepted the re-route, the county would merely move forward and cite this statute:  
<https://www.revisor.mn.gov/statutes/?id=383B.81&year=2010&format=pdf>

**Missing documents...**

There are no known documents which support the assertion that the people of Minneapolis were promised the freight trains would be removed.

In 3.1.5.1 “Effects to Land Use and Socioeconomics—Segment A,” the DEIS states, “in order to achieve adequate ROW for placement of the three facilities [existing freight rail, LRT rail, and a bike trail], up to 57 town homes would be removed in the area north of the West Lake Station on the west side of the corridor and 3 single-family houses would be removed north of Cedar Lark Parkway along Burnham Road” (3-34).

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Moving the bike trail is not included as a consideration in this DEIS. Even though the DEIS itself cites an additional cost of \$123 million to reroute freight traffic, there is no cost analysis or even consideration for rerouting a bike trail. In addition, the city of St. Louis Park funded its own study regarding the feasibility of co-location when it became clear Hennepin County was not going to study the matter seriously, and this study found co-location possible without taking the 57 town homes. The three houses mentioned in segment A have never been mentioned before, so this property take is unclear.

The DEIS states that for relocation, "land use is not anticipated to change along the primarily residential areas . . . because improvements are within the existing corridor" (3-34). Failure to mention the increased speed (from 10-25 mph), increased grade (to 0.86% ), increased vibrations which have not been studied according to this DEIS, and change in freight (from construction materials to coal and ethanol) constitutes negligence. This DEIS fails to adequately study the very serious impacts on the "primarily residential areas," not to mention the five schools within ½ mile of the MN&S.

The only mitigation mentioned in section 3.1.7 Mitigation is mitigation for construction. No other mitigation is mentioned. A DEIS of this nature should include mitigation for the community accepting freight rail regardless of its route. A full list of mitigation items has been submitted as a DEIS comment by the City of St. Louis Park

Figure 3-2.1. In this section, neighborhoods are discussed. Again, a very small radius of area is analyzed. The neighborhoods included should be all neighborhoods that where a portion of the neighborhood is within ½ mile of the FRR tracks.

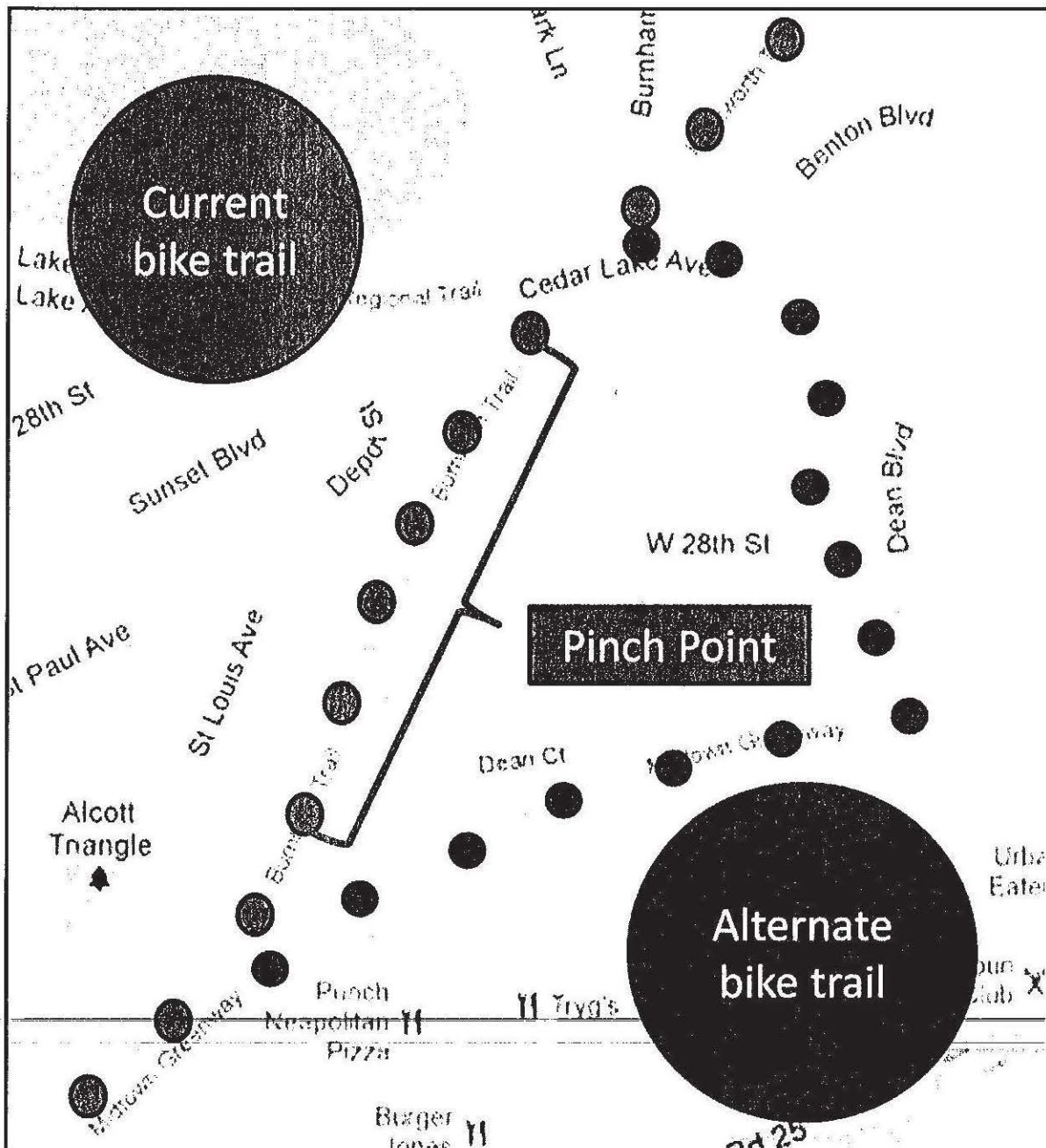
In section 3.2.2.6, "Neighborhoods and Community Cohesion—Segment A," the DEIS states, "Disruption to the community's character [with co-location] is the introduction of additional rail facilities, i.e. LRT would be added to existing freight rail operations. With the additional tracks using a wider portion of the HCRRA corridor, the potential to alter historic properties and characteristics of the neighborhood . . . is introduced. The wider corridor with rail operations closer to residences and recreation areas decreases the opportunities for community cohesion" (3-58).

The comment that co-location has "the potential to alter historic properties and characteristics of the neighborhood" fails to recall the historic fact that as many as 14 tracks once occupied that section of the corridor. The historic characteristics of the neighborhood would not be altered at all, but rather, restored—slightly—in the form of one additional resurrected rail line. As described in Minneapolis And The Age of Railways by Don L. Hofsommer (copyright 2005 by Don L. Hofsommer, Published by the University of Minnesota Press) the Minneapolis & St. Louis (M&StL) railroad was operating its line from Minneapolis to Carver, which would have passed through what is now the Kenilworth Corridor, as early as 1871 (pages 36 and 37). At this time in history the MN&S line did not yet exist. The Kenilworth Corridor, then known as Kenwood Yard, continued to be used for mainline freight until the 1980s. The DEIS' description of the Kenilworth Corridor as "historic," without consideration of the factual history of the area, further demonstrates bias against co-location rather than serious study.

3.2.2.6 Discussion of neighborhood Cohesions ASSUMES that the 60 townhomes would need taking because of the assumption that the width of the Kenilworth corridor in 1/4 mile section is not wide enough for freight and light rail tracks. In fact, moving the bike trail in that same space would eliminate such a need. "With the co-location alternative, the largest disruption in community cohesion would be the acquisition of 60 housing units" (see Section 3.3).

There is absolutely no discussion of moving the bike trail instead of taking the 60 homes which artificially overstates the costs for co-location. Here is a simple diagram that shows how the bike trail can be re-directed which would cost almost nothing since the entire suggested trail is already a designated bike trail.





In the same section, namely, 3.2.2.6, "Neighborhoods and Community Cohesion—Freight Rail Re-Location Segment," the DEIS states, "The level of freight rail service through St. Louis Park is not anticipated to change, but would be redistributed to the MN&S Line (Figure 2.3-2). Since the MN&S is an active freight rail corridor and the relocation of the TC&W traffic to the MN&S would add only a small increase in freight rail traffic, significant impacts to community cohesion along the MN&S would not be anticipated" (60).

These statements are flatly incorrect. The relocation of freight will add a significant increase in freight traffic through densely populated residential areas with narrow ROW. Rerouted freight will pass within ½ mile of five schools—within 75 feet of the St. Louis Park Senior High School. In fact, according to the DEIS itself, freight traffic will increase by 788%.

Furthermore, community cohesion will be profoundly, negatively impacted by the increased noise and vibrations due to mile-long coal- and ethanol-carrying trains climbing a grade of .86%, maneuvering through three tight curves in which engineer sightlines are limited to as few as 178 feet. Six at-grade crossings will be blocked simultaneously as the longer rerouted trains travel along the MN&S. The MN&S has never serviced unit trains of coal or ethanol, nor have the trains been longer than 45 cars. Currently, the MN&S services one, 15-20-car train per day, Monday through Friday between 9 a.m. and 6 p.m.—it travels south and returns north once per day. The rerouted traffic will send an additional 258 cars per day, and the trains will effectively travel seven days a week, twenty-four hours per day. These numbers do not include any projected increases in freight traffic.

This DEIS does not seriously consider the detrimental impact on community cohesion for St. Louis Park. It does not include the noise and vibration studies needed for determining real impact as well as necessary mitigation; it does not include traffic counts at the six, at-grade crossings that will experience prolonged blocking due to the rerouted train; it does not include traffic studies that take into account the school bus traffic traveling between the two schools bisected by the MN&S—the St. Louis Park Senior High School and Park Spanish Immersion; it does not take into account the dangerous freight passing within 100 feet and above grade through densely-populated residential areas; and it does not take into account that trains carrying hazardous materials, going around tight corners, accelerating hard to climb the steep grade, or braking hard to travel down the steep grade, will cross on bridges over Highway 7 and Minnetonka Boulevard—two very busy roads—in a compromised position. The rerouted trains would ideally cross on bridges over busy highways/roadways going straight; this is not the case for the MN&S, and there are no derailment studies included in the DEIS that discuss the impacts of this reroute.



3.2.2.6 Quotes "a small increase in freight rail traffic, significant impacts to community cohesion along the MN&S would not be anticipated." A 788% increase is not small. The average train cars a day traveling the MN&S today is 28. The average daily train cars if the re-route would go forward would be 253 (per S.E.H. Study, April 2011 commissioned by the City of St. Louis Park). It goes on to dismiss other "community cohesion" issues such as:

A. The added freight rail bisects the high school campus, a high school with over 1300 students. This is the primary concern of most St. Louis Park residents. The tracks runs within 35 feet of the high school parking lot and 75 feet of the building itself. The school's main athletic field is across the tracks from the high school. Children need to cross the tracks very frequently. An entire analysis of this issue along should be in the DEIS. The dangers here are enormous regardless of any planned "whistle quiet" zone. This is particularly dangerous because of the curves of the track and the speed and weight of the trains to be re-routed. The TC&W has publicly stated, and experts agree, that if a child/children are on the tracks for whatever reason, a train WILL NOT BE ABLE TO STOP to avoid a tragedy. With today's slower, smaller, lighter traffic on that line, trains CAN stop. This is a core issue.

B. The traffic issues of blocking six at-grade auto/ped crossing including school busses entering/exiting the high school and the ripple effect of those issues because our school system "cycles" those buses from school to school.

C. The inherent danger of the longer, faster, heavier freight trains running near hundreds of homes, in some places on elevated tracks.

D. The noise, vibration issues for all residents and schools in the area.

Ironically, the DEIS states that "moving Freight rail service to the MN&S line will benefit the bus transit system by eliminating delays caused by freight rail operations. The removal of freight rail service from the Wooddale Avenue and Beltline Boulevard areas of St. Louis Park and the West Lake Street area of Minneapolis will make these areas more attractive for development/redevelopment, especially for housing" (60).

If moving freight out of an area will benefit that area, then it is certainly reasonable to assume that moving that same freight into another area will cause harm. The DEIS clearly states that "community cohesion along the MN&S would not be anticipated" (60). The document itself contradicts a fundamental issue that it purports to seriously study. This DEIS does not represent a legitimate look at co-location or re-location. It simply documents a wish by county officials to move freight traffic from its historical, logical, and safe location to a different, less-desirable location.

In section 3.2.2.7 titled "Summary of Potential Impacts by Build Alternative," the following is stated: "LRT 3A-1 (co-location alternative) has the potential for adverse community impacts because of the conflicts that could result from having an excess of activity confined to an area not originally intended for such an intense level of transportation. In this scenario a relatively narrow ROW corridor would be forced to accommodate a freight rail line, LRT, and a multi-use trail creating an even greater barrier to community cohesion in Segment A" (3-61).

Again, the assertion that the co-location area was "not originally intended for such an intense level of transportation" is ludicrous in light of the historical facts. The Kenilworth Corridor (where co-location can occur) was originally an intensively used rail route that contained 9 separate rail lines at its narrowest point, and 15 lines at its juncture with the BNSF. In fact, the bike trail is currently using an old rail bed; this could be used by the LRT line, and safety would not be compromised as a result. Additionally, at-grade crossings would not be blocked simultaneously with co-location, nor would the freight and LRT pass residential housing above-grade, nor would the lines pass five schools within ½ mile, nor would taxpayers needlessly spend an additional \$123 million.

The DEIS also states that "the addition of the Freight Rail Relocation to all of the alternatives above would have a positive impact to adjacent neighborhoods or community cohesion because removal of freight operations along Segment 4 would eliminate a barrier to community linkages" (3-61).

This sentence simply ignores the fact that relocation would profoundly impact community cohesion in St. Louis Park. If the train is rerouted, six at-grade crossings will be blocked simultaneously by unit trains—cutting off emergency vehicle routes; the St. Louis Park Senior High School's campus will be blocked by these same unit trains for 10-15 minutes at a time; the school's bus transportation system will be seriously impaired due to the blocked intersection between the high school and Park Spanish Immersion; residents will face the introduction of noise and vibrations never experienced before (and not studied) in St. Louis Park as a result of the intensive grade increase to get the trains from the CP line to the MN&S. There is not one single "positive impact to adjacent neighborhoods" along the MN&S, and the DEIS itself fails to mention how relocation is an "improvement."

In Table 3.2-2. "Summary of Neighborhood, Community Services, and Community Cohesion Impacts by Build Alternative," co-location is cited as incompatible because "Some neighborhoods are concerned about keeping freight rail and some neighborhoods about additional freight rail traffic" (3-67). What is missing from this table are the robust concerns that St. Louis Park city officials have expressed over a decade in the form of four different resolutions. In addition, St. Louis Park residents/neighborhoods have been extremely vocal. They have expressed their concerns in the following ways: Over 1500 people signed a petition requesting co-location rather than relocation; hundreds of residents attended and spoke at two separate listening sessions held by the City Council of St. Louis Park which Gail Dorfman, county commissioner, attended. Notably, Ms. Keisha Piehl of 6325 33rd St. West in St. Louis Park spoke directly to the question of community cohesion during the April 2012 listening session ([http://www.stlouispark.org/webfiles/file/Comm\\_Dev/freight\\_comments.pdf](http://www.stlouispark.org/webfiles/file/Comm_Dev/freight_comments.pdf)).

St. Louis Park citizens, city council members, and the mayor attached extensive mitigation requests to the EAW before MNDOT vacated the document—much of that EAW is repeated in this DEIS, but the city's and residents' requests are not acknowledged; the Project Management Team assembled by Hennepin County included residents that represented each of the neighborhoods of St. Louis Park, and the representatives repeatedly voiced concerns about the engineering plans—those concerns were completely ignored. There are many more ways in which St. Louis Park neighborhoods voiced concerns (i.e. letters to the editor in the *Minneapolis Star Tribune* as well as other local newspapers, letters to city, county, state, and federal representatives, and so on). These concerns have been consistently ignored by Hennepin County officials and continue to be disregarded in this DEIS, but they must be included.

There is a core analytical flaw in section 3.2.2.8. It compares effects between section FRR and section A. However, it is flawed because the effects of segment "A" take into account the area north of Kenilworth corridor even though that area will be affected with or without the FRR. Therefore, this is not a reasonable conclusion. The conclusions should be drawn only from a comparison of the FRR vs. Segment A minus the area north of the point approximately at the planned Penn Station. In addition the parkland affected is overstated in the co-location alternative because in this portion entire parcels are counted while the actual amount of space affected by the freight train is nominal. Because the Cedar Lake Park is so large, it appears there is a potential large impact even though the actual area impacted is quite small.

Table 3.6-3. Visual Effects by Segment listed ZERO visual effects for the FRR because the actual Re-route is not examined, only the effects of the LRT. Even though it is clear that there will be major visual effects by the building of the ramp and the enormous increase of freight traffic in the relocation area.

3.3.3.3 Relocation plans assume purchasing of all of the town homes on the Kenilworth corridor as opposed to moving the bicycle trail. It also arbitrarily assumes the Co-location homes need taking but none of the Relocation home needs taking without any apparent analysis of how that is determined. i.e; # of feet from the tracks, etc.

In section 3.4.5.3 titled "Build Alternatives," the DEIS states that "No National Register listed or eligible architectural resources have been identified within Segment 3" (3-79) which is the co-location segment. However, further down this page, the DEIS states that because of "the construction of new bridge structures within the historic district[,] the design and footprint of these structures may affect the banks of the historic channel and may affect the district's overall feeling and setting" (3-79).

The language on this page suggests a direct contradiction. If there are not nationally registered resources in the corridor, why will the "historic channel" be affected? What determines "historic"? The language itself demonstrates bias against co-location and helps to explain the numerous, puzzling exclusions in the DEIS of the negative impacts related to relocation.

To be fair, the DEIS does acknowledge the following regarding relocating freight to the MN&S:

**3.4.5.3 Build Alternatives: Freight Rail Relocation Segment**

Architectural properties in Segment FRR, which are listed in or eligible for the National Register include two historic districts and two individual properties. See the summary table and map for Segment FRR in the tables in the Section 106 Consultation Package in Appendix H.

Potential long-term effects may occur at the following properties:

- Brownie and Cedar Lakes, including the connecting channel, part of the Grand Rounds historic district (potential effects of new track construction on the features and settings of lakes and channel)

Other potential effects to historic properties in Segment FRR relate to potential noise issues.

Three areas with archaeological potential, comprising 3 acres, were identified in the Supplemental Archaeological Phase 1A along Segment FRR. Any of these that are found eligible could experience impacts from construction. (3-81)

In spite of the acknowledged impacts to historical resources along the MN&S, the DEIS favors rerouting freight rather than co-locating because the "overall feeling and setting" of the Kenilworth Corridor may be impacted (3-79). It is not made clear by the DEIS how one determines "feeling and setting" or how one even defines these attributes. What is missing from this section is commentary on how the "overall feeling and setting" will be negatively impacted along the MN&S.



In Table 3.5-2: "Potential Direct Impacts to Parkland by Segment," the DEIS states that "no permanent impacts [are] anticipated" for the three parks along the reroute, namely Roxbury, Keystone, and Dakota (3-94). However, further down, the DEIS states that "construction footprints for the Freight Rail Relocation segment have not been developed, so acreage of temporary and long-term impacts have not been developed" (3-96). Any statement regarding impacts do not reflect reality when "construction footprints for the [FRR] segment have not been developed" (3-96). Nothing intelligent can be said about the impacts on these parks when the areas have not been studied.

Not surprisingly, the DEIS reveals that "conceptual engineering indicates that Segment A (co-location) would have a long term impact on approximately 0.88 acre. This includes a long term impact on approximately 0.81 acre in Cedar Lake Park, approximately 0.07 acre in Cedar Lake Parkway and approximately 0.01 acre in Lake of the Isles for widening the corridor to accommodate the freight rail line" (3-95). It is unclear why the corridor needs to be widened to accommodate the freight-rail line when the line already exists in the corridor, but the DEIS does not explain this mystery. In addition, as stated earlier, at its narrowest point, the corridor housed nine separate rail lines. The bike trail that now parallels the freight line is on the freight ROW; it is using an old rail bed. There is no need to widen an already wide corridor.

### 3.7 Safety:

A. No derailment study. merely a mention of "no recent derailments". There was at least one derailment on the MN&S within the last 20 years. And there was one derailment just two years ago of the actual trains that are to be relocated.

B. Only two schools are listed as being "nearby" the freight rail reroute. Why is the area studied simply "nearby" and not the ½ mile rule that is used in the rest of the DEIS. If that rule was used 6 schools would be listed. Only 2 parks are listed on the FRR using the same methodology. In fact, there are more.

C. At grade safety evaluation looks at HISTORY only when it recaps that no incidents have happened. However, this is an incorrect statement because the evaluation does not examine the new train traffic that will be realized.

D. The entire examination of properties list the "dwellings within 50 feet" versus "property within 50 feet". It is reasonable to assume that homeowners whose backyards and garages are within 50 feet of the tracks will experience a significant safety risk because that property is inhabited.

E. The schools are listed as merely "entities" versus people. Therefore, an incorrect comparison is done when considering people impacted. The high school alone contains over 1300 students. Other schools contain hundreds of students as well. These numbers should be included in safety hazards.



## CHAPTER 4--ENVIRONMENTAL EFFECTS:

### 4.6 Air Quality, pages 66-76

MN&S Freight Rail Report from Appendix H part 1, pages 109-113

The conclusion reached in the air quality section excludes important criteria and flawed assumptions. The proposed action for the Freight Rail Relocation will result in significant increased exposure to a multiple health risk sources and decreased livability for residents.

**Flawed Assumption:** The DEIS states that 'freight relocation will not be a net increase in train operations but rather a relocation.' This overarching statement fails to consider that the relocation of freight is from a highly industrial land use to a high-density residential area with park and school facilities. Population density maps indicate that the majority of the area along the MN&S Sub is 1000-7500 with pockets of 7500+. In comparison, the area adjacent to the Bass Lake Spur has significantly less population density (Attachment Appendix 4).

**Flawed Assumption:** The relocation of freight is from the Bass Lake Spur with a straight, relatively flat track and larger ROW. The MN&S ROW is significantly smaller which means that the residents will be in closer contact to the pollution source.

**Missing Information:** The grade characteristics of the MN&S Spur will cause an increase in the amount of locomotive throttle needed. The necessary connection will introduce gradients that are not currently part of operational activities in St Louis Park: Wayzata Subdivision connection is 1.2% and Bass Lake Spur connection is 0.86%. TCWR commented on this aspect during the MN&S Rail Study EAW: greater grades will result in increased diesel emissions due to the need for more horsepower because of the increased grade (Supporting data A, page 4). There is no assessment for this fact.

**Missing Information:** The Freight Rail Re-Route design includes a siding track along the Wayzata Subdivision in St Louis Park, Minneapolis. The purpose of this siding to allow for the TCWR to wait for access to the shared trackage along Wayzata Subdivision, from approximately Penn Ave through the Twins Station congestion area. This area is shared with BNSF and Metro Transit NorthStar line. There is no discussion of how this idling of the locomotives will negatively impact air quality. Furthermore, once the the siding is in place it will be possible for not only TC&W trains to use the siding, but also BNSF trains. It is possible that the siding could be in use twenty-four hours a day, seven days a week, three-hundred-sixty-five days a year. There is no discussion about how this very possible increase in idling trains will affect air quality.

Flawed Assumption: page 4-76. It states that the queuing of vehicles when freight blocks an intersection will be similar with or without Freight Rail Reroute and would not impact air quality. This statement fails to consider the following: 1. Wooddale and Beltline Blvd are the roads in St Louis Park that would have freight removed. However, these intersections will still have significant congestion from SWLRT crossing and blockage 2. The re-routing of freight will be to an area that has more at-grade crossings (5 vs 2) and within closer proximity of each other. All five crossing on the MN&S are within 1.2 miles but the crossing on the Bass Lake Spur are approximately one mile apart. Motor vehicles will be idling significantly more while waiting at multiple at-grade crossings 3. The close proximity of the at grade crossing on the MN&S will have an accumulative impact. Trains of 20 or 50 cars will be block three intersection simultaneously. Trains of 80 or 100 cars will block all five intersections simultaneously (MN&S Report, Table 5 on page 105).

Inconsistent Statements: Page 4-72. The Freight Rail ReRoute is described as not regionally significant according to MnDot definitions. It is therefore not evaluated or accountable to air quality conformity, including CAAA requirement and Conformity Rules, 40 C.F.R 93. This application of being not significant is contradicted in other areas of the SWLRT DEIS. Including the finding in Chapter 1 of the SWLRT-DEIS that there is a "Need to Develop and Maintain a Balanced and Economically Competitive Multimodal Freight System "(1-10)

Action requested: The EPA has tightened the fine particulate regulations in December 2012. One possible source for soot pollution is diesel emissions which is a possible issue with the freight rail relocation. The locomotives that struggle with the increased grade changes will release an increased amount of diesel fumes. the air quality section should be revised and updated to reflect the tighter regulations.

Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions, and inconsistent statements can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on. Once the new studies are complete and the scope is decided, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed reroute prior to making decisions.

#### 4.7.7 Noise Impacts to the Freight Rail Reroute

Section 4.7.7, pages 99-104

MN&S Freight Rail Report from Appendix H part 1, pages 114-124

It is important to highlight the current existing traffic is during day hours, specifically from 9 a.m. to 4 p.m., on a Monday-Friday basis. With this situation, a resident with a traditional 9-5 job pattern would have very minimal exposure to the current freight. The proposed action will expand the hours of noise impact to 7AM through evening hours. In addition, the unit trains travel during the overnight hours whenever needed for business. Also, the days of service will increase to weekend usage with at least 6 days of service, if not everyday. This is significant because the current impacts to residents are limited to weekday hours with minimal impact on social, family, or neighborhood events.

It is also important to highlight that the information and hard data used to assess impacts SWLRT DEIS is a repurposing of the MN&S Freight Rail Study EAW. The EAW was in appeal process with both the City of St Louis Park and a residential group when the document was 'vacated'. It has been used in the SWLRT DEIS as the hard data, included in the Appendix H as a the MN&S Freight Rail Study. It is reasonable to state that the same issues that were being appealed with methodology, impact assessment, and environmental act violation exist in the SWLRT DEIS.

Comment on Section 4.7.7 regarding the field study, noise analysis

There is disagreement with the methodology used in the Noise Section in the MN&S report in the appendix. This report is the document used as the field work to evaluate the noise impacts for the Freight Rail Reroute in the SWLRT DEIS. The noise analysis is located in the MN&S Report on pages 114-124. The noise assessment is both missing important criteria and has flawed assumptions within the scope of the field work.

Missing Information: There is no noise assessment or field data gathered for the existing noise along the Bass Line Spur. This data is critical for the full understanding of the existing noise level of the TCWR traffic and how this level of noise compares to the noise measurement taken along the MN&S tracks.

Missing Information: The Bass Lake Spur to MN&S Spur connection will be a mile long structure that has a 0.86% grade change. The noise assessment in the MN&S Report does not discuss or evaluate how this new structure will impact noise. TC&W commented to this aspect- specifically stating that there will be increased and significant noise due to accelerating locomotives struggling to make the increased grades (Supporting data A, page 4). In addition, the City of St Louis Park Appeal to the MN&S Freight Rail Study EAW stated that the noise section did not address the noise created by additional locomotives needed to pull trains up the incline (Supporting data B, page 15).

Missing Information: The Bass Lake Spur to MN&S connection is a large and significant bridge structure with a tight curve. The noise assessment in the MN&S Report does not study or consider the impacts to the homes located on southeast corner (east of the MN&S Spur, south of the Bass Lake Spur). The residents will have an introduction of noise from a new source due to the additional locomotive throttle and curve squeal.

Missing Information: The MN&S Report and the noise assessment does not consider the grade needed to connect from the BNSF Wayzata Subdivision to the MN&S Spur. This is the area of the project that is known as the Iron Triangle. It is identified as a 1.2% grade on the MN&S Alignment Profile (Attachment Appendix 4). TC&W identified this missing information in their comment to the MN&S Freight Rail EAW (Supporting data A, page 4).

Missing Information: The MN&S Report does not assess the noise impacts to the residential homes near the Iron Triangle. The use of the Iron Triangle for the connection from the MN&S Spur and the BNSF Wayzata Subdivision includes changing the land use from an inactive to an active rail corridor. The adjacent residential homes are located at 50-100 ft distance from the proposed connection. In addition, this is an introduction of freight noise not current experienced by the community.

Missing Information: The Bass Lake Spur to MN&S Spur connection will include an eight degree curve. The field data in the MN&S Report does not evaluate the potential of this curve to be a noise source. Again, a comment by TC&W states that "the increased curvature creates additional friction, which amplifies the noise emissions including high frequency squealing and echoing" (Supporting data A, page 4). The City of St Louis Park also included the squealing wheel as a noise source in the appeal to the EAW (Supporting data B, page 15).

Missing information: The MN&S Report does not include assessment on the noise source of the stationary crossing signals and bells. It does not assess the noise generated from these stationary sources as either a solo intersection or as multiple intersection events. The characteristics of the MN&S sub includes 5 at grade crossing within close proximity. It is fact that multiple crossings will be blocked simultaneously with the re-routed freight causing all stationary sources of noise to be generated simultaneously. This characteristic will compound noise impact.

Missing Information: FTA Noise and Vibration Manual, Section 2 3.2.2: It is recommended that Lmax be provided in environmental documents to supplement and to help satisfy the full disclosure requirement of NEPA.

- The Lmax was not included in the noise section of the MN&S Report which would satisfy full disclosure.
- FTA Noise and Vibration Manual, Appendix F Computing Maximum Noise Level or Lmax for Single Train Passby (Attachment Appendix 4).
- The net change of Lmax will be significantly increased due to the increase in variables from the existing traffic to the proposed traffic. The variables expected to increase are speed (10 MPH to 25 MPH proposed), Length locos (2 locomotives current vs 4 locomotives for proposal to re-route) and Length cars (average current traffic is 20 cars vs 120 cars in the proposed rerouted traffic). This is a significant and important measurement that could be used to better understand the change in noise impacts.
- MN&S Freight Rail Study EAW Brief of Relators Appeal, Jami Ann LaPray, et al cites the lack of information on the Lmax as evidence that the noise study is inadequate. In detail, the appeal states that the use of Ldn is inadequate because it is an average noise level over 24 hours, not reflective of the noise impacts that a resident will actually hear (Supporting data C, page 23).

Flawed assumption: The noise section assumes that the re-routed freight will be able to travel at 25 MPH without consideration of the grade change of both the current MN&S profile and the new constructed interconnect structure.

Flawed assumption, improper analysis: The noise assessment was done with the current MN&S freight which has 2 locomotives and 10-30 cars. The freight traffic that will be rerouted will have trains that have up to 4 locomotives and 120 car length and it is projected to be a 788% increase as compared to the current freight. The noise assessment in the MN&S Report uses the current freight noise without consideration that the train profile will change, the amount of time of exposure to the noise will increase due to more trains per day with expanded hours of operation, and the duration per pass by will increase.

Missing information, improper analysis: Table 11 on the MN&S Report has a list of properties that are expected to have severe noise impacts. The distance to the impacted sites vary from 80 to 355 feet, with 273 out of the 327 total sites within 120 ft. In general, this analysis is improper because the impacts to the LRT sections are discussed as within half mile. The greatest distance discussed for freight is 355ft so the methodology for noise impact is not equally applied. Specifically, it is highly probable that expanding the impact footprint will increase the numbers for both moderate and severe impacts. Therefore, the number of sites with impacts is grossly underestimated.



Flawed assumption: There are currently no trains on the MN&S during night hours. The proposed re-routed freight will include unit trains at night. This is briefly discussed in the noise analysis but it was minimized and not properly described as a significant negative impact. The City of St Louis Park appeal asked that this noise source be considered a severe impact (Supporting data B, page 15).

Flawed assumption: The noise impact section for the FRR section describes that all severe noise impacts are a result of the train whistle at at-grade intersections. It is also a flawed assumption to state that a quiet zone will eliminate all severe noise impacts. Page 4-101. The assertion is not correct because the noise assessment within the MN&S Rail Report is missing data as described above.

Table 4.7-13 MN&S Relocation Noise Impacts: This table describes that there would be moderate noise impacts at 95 sites and severe noise impacts at 75 sites. This data is grossly underestimated. It is not possible to understand or evaluate the impacts because the field work and assessment had missing data and flawed assumptions as described above.

Figure 4.7.2- The figure does not include the noise sites for the Freight Rail Reroute. This is missing information and should be considered as an argument that the project proposer has not studied all sections equally or with due diligence.

Comments on the mitigation proposed for noise impacts

Federal guidelines:

FTA Noise and Vibration Manual 2 Section 3.2.4- Mitigation policy considerations--Before approving a construction grant--FTA must make a finding that ...ii the preservation and enhancement of the environment and the interest of the community in which a project is located were considered and iii no adverse environmental effect is likely to result from the project or no feasible and prudent alternative to the effect exist and all reasonable steps have been take to minimize the effect.

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Reasonable steps have not been taken to minimize the effect. The only mitigation for noise is a Quiet Zone but after this mitigation, the level of noise impact is still moderate. Assuming that the assessment is valid and complete.

The noise mitigation section of the manual (section 3.2.5) state that moderate level noise should be further mitigated under certain circumstances/factors. There is a compelling argument for mitigation when a. large number of noise sensitive site affected b. net increase over existing noise levels c. community views. The NEPA compliance process provides the framework for hearing community concerns and then making a good faith effort to address these concerns.

The Freight Rail Relocation is within a high density residential community and within half mile of 5 schools. The MN&S tracks have a narrow Right of Way with many adjacent residential parcels at 50-100 ft. It is within reason to state and request that further mitigation should be part of this SWLRT DEIS due to FTA noise and vibration manual description (section 3.2.5).

A Quiet Zone is described as reasonable mitigation for the noise impacts for the FRR section. A quiet zone evaluation is done with the FRA, MNDot, and Rail companies. The evaluation of the possible improvements needed are based on vehicle traffic traditionally. In fact, the rules on how pedestrians and pedestrian safety should be treated is not clear. It is improper to consider and/or a design a quiet zone in FRR without proper weight on the high pedestrian use of the St Louis Park High School area. In addition, it is critical to note that the traffic analysis within the MN&S Report includes no data on pedestrian or bike traffic for the FRR section. The residents and communities requested this additional count information but were repeatedly ignored during the PMT meeting on the MN&S Study.

The real life situation is that the school is bookended by two blind curves, making it impossible for a rail conductor to view a dangerous situation in time to divert a disaster. The conductor has the right to blow their horn in situation that are considered hazardous, regardless of a quiet zone status. The characteristics of the MN&S have innate conditions with close populations of students, division of a school campus, and blind curves. It should be factored in the noise analysis that the railroad companies will continue to use whistles.

The proposal for a Quiet Zone was also included in the MN&S Freight Rail EAW. Both the Canadian Pacific Railway and TC&W Railroad commented in a negative manner during the comment phase. CP stated "designing and constructing the improvements needed for FRA requirements may be difficult- especially considering the site and geometrics of the corridor." Supporting document d. The comment by TC&W was that they "have safety concerns due to a number of factors: 1. increase in train size, speed, and frequency; 2. proximity to schools, businesses, and residential and 3. an increased number of at grade crossings" (Supporting document A, page 5).

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Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on. Once the new studies are complete and the scope is decided, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed reroute prior to making decisions.

Action requested: SWLRT DEIS should include a diagram, discussion, and specifics of the quiet zone designs proposed. This is necessary prior to a decision on the freight issue in order to understand if a Quiet Zone is even feasible or realistic for the FRR.

Action requested: SWLRT DEIS should include a full list of mitigation that could be considered for both moderate and severe noise impacts for the FRR.

Action requested: SWLRT DEIS should include mitigation option if the implementation of a quiet zone is not plausible.

Action requested: The project management for the SWLRT should engage and include the EPA in the discussion of the noise impacts to the FRR. It should act in accordance to the Noise Control Act (1972) Pub.L. 92-574 (sec. 1). "The Congress declares that it is the policy of the United States to promote an environment for all Americans free from noise that jeopardizes their health or welfare." This interaction should include all stakeholders, including the City of St Louis Park, operating rail companies, and impacted residential groups.

Action requested: The project management should include consideration of the legal precedents for noise impacts and inverse condemnation. *Alevizos et al. v. Metropolitan Airport Commission* no 42871 on March 15, 1974 is an example. In this case: Inverse condemnation is described as "direct and substantial invasion of property rights of such a magnitude that the owner of the property is deprived of its practical enjoyment and it would be manifestly unfair to the owner to sustain thereby a definite and measurable loss in market value which the property-owning public in general does not suffer. To justify an award of damages, these invasions of property rights must be repeated, aggravated, must not be of an occasional nature, and there must be a reasonable probability that they will be continued into the future." Although the noise source in this lawsuit was airport based, it is reasonable to use the same guiding principles for the Freight Rail Re-Route section. The FRR, if implemented, is an introduction of a transit method which will have significant impacts to the communities.

source:<http://airportnoiselaw.org/cases/alevizo1.html>

4.8.4 Vibration Impacts to the MN&S Freight Rail Relocation, page 117  
MN&S Freight Rail Report from Appendix H part 1, pages 124-130

It is important to highlight the current existing traffic is during day hours, specifically from 9AM to 4PM, on a Monday-Friday basis. With this situation, a resident with a traditional 9-5 job pattern would have very minimal exposure to the current freight. The proposed action will expand the hours of noise impact to 7AM through evening hours. In addition, the unit trains travel during the overnight hours whenever needed for business. Also, the days of service will increase to 7 day per week. This is significant because the current impacts to residents are limited to weekday hours with minimal impact on social, family, or neighborhood events. The neighborhoods were developed around a secondary infrequently used track. The re-routed freight will increase the tracks to a moderate use freight line.

It is also important to highlight that the information and hard data used to assess impacts SWLRT DEIS is a repurposing of the MN&S Freight Rail Study EAW. The EAW was in appeal process with both the City of St Louis Park and a residential group when the document was 'vacated'. It has been used in the SWLRT DEIS as the hard data, included in the Appendix H as a the MN&S Freight Rail Study. It is reasonable to state that the same issues that were being appealed with methodology, impact assessment, and environmental act violation exist in the SWLRT DEIS.

There is disagreement with the methodology used in the Vibration Section in the MN&S report in the appendix. This report is the document used as the field work to evaluate the vibration impacts for the Freight Rail Reroute in the SWLRT DEIS. The assessment is both missing important criteria, improper analysis, and flawed assumptions within the scope of the field work.

Missing Information: There is no vibration assessment or field data gathered for the existing vibration along the Bass Line Spur. This data is critical for the full understanding of the existing vibration level of the TCWR traffic and how this level of noise compares to the vibration measurement taken along the MN&S tracks. TC&W commented on this missing information during the comment phase for the MN&S Rail Study EAW (Supporting document A, page 4).

Missing Information: The Bass Lake Spur to MN&S Spur connection will be a mile long structure that has a 0.86% grade change. The vibration assessment in the MN&S Report does not discuss or evaluate how this new structure will impact vibration.

Missing Information: The Bass Lake Spur to MN&S connection is a large and significant bridge structure with a tight curve. The vibration assessment in the MN&S Report does not study or consider the impacts to the homes located on southeast corner (east of the MN&S Spur, south of the Bass Lake Spur). The residents will have an introduction of vibration from a new source which is missing for the scoping of the field study.

Missing Information: The MN&S Report and the vibration assessment does not consider the grade needed to connect from the BNSF Wayzata Subdivision to the MN&S Spur. This is the area of the project that is known as the Iron Triangle. It is identified as a 1.2% grade on the MN&S Alignment Profile (Attachment Appendix 4).

Improper analysis: The same impact guidelines were not used in the vibration impacts for the LRT and the Freight Relocation. For the MN&S Report, the locomotive events were considered infrequent and the rail car events was considered occasional. Appendix H, page 127. For the vibration impacts on the alternatives, the SWLRT DEIS describes the locomotive events to be infrequent also but the rail car events was described as heavy. Page 4-107, 108. The distance for heavy, frequent impacts are at distances of 150 ft. The DEIS statement and the MN&S Report statement do not support each other, conflicting data presented. In addition, the only impacts discussed was at 40 ft but the proper distance should be 150 ft. This improperly underestimates the number of sites which would have vibration impacts.

Missing information: The MN&S Report does not include any information on the proximity of the MN&S tracks to structures at adjacent parcels. The MN&S Report also does not discuss how the building of the connection in the Iron Triangle will introduce a vibration source to the adjacent residents.

Improper analysis: The field work and vibration measurements were established with two train passages: both with two locomotives, one with 6 cars and the other with 11 cars. The existing freight conditions on the MN&S are described in the MN&S Report as 2 locomotives, 10-30 cars. Based on this, the vibration measurements were taken with either below or at the low end of the current vibration conditions. It is improper to consider these measurement as representative of the existing vibration.

Improper analysis: The vibration impacts to the Freight Rail Relocation was evaluated with the current freight traffic. This is improper because the re-routed freight will be significantly different: increased locomotives from 2 to 4, increased rail cars from 20 to 120, increased of speed from 10 MPH to 25 MPH. The result of this error will be that the vibration impacts will not be accurate.

The City of St Louis Park commented on this in the appeal to the MN&S Freight Rail Study EAW: vibration analysis doesn't accurately reflect existing and proposed rail operations because the field work is based on existing short train (Supporting data B, page 16).

Improper analysis: An independent vibration study was done by a Lake Street business owner during the MN&S Freight Rail Study (Attachment Appendix 4). With consideration of the independent study, the vibration information within the SWLRT DEIS and the MN&S Report are improper due to 1. Measurements within the building were 84 VdB. According to the MN&S Rail Study, impacts for category 2 is 72 VdB for frequent events. The impacts specs for frequent events in category 3 is 75 VdB. The conclusion in the independent study is that vibration currently exceeds federal guidelines. 2. the independent measurements were taken within a 24 second time frame. The proposal to re-route traffic is expected to travel past a fixed point for 10 minutes. 3. The independent measurements were taken within a brick construction structure. In



comparison, vibrations have increased impacts within 'soft' construction which is typical of residential house construction. It is reasonable to state that the vibration within an adjacent residential structure would be greater at the same distance. 4. Note: The independent study was conducted on April 13, 2011. The MN&S Study measurements were taken in February 2011 during a year with record snow accumulations. It is possible that the MN&S Report Field study is improper because weather and normal winter ground conditions allowed for an erroneous low measurement. The MN&S Freight Rail Study EAW Brief of Relators Appeal, Jami Ann LaPray.... appealed on the independent study and the failure of the project management for the MN&S Report to address inconsistencies between the two field studies (Supporting data C, page 26).

Improper Analysis: The MN&S Report discusses the vibration impacts based on the vibration levels needed for property damage. It fails to discuss the level of vibration considered for human annoyance. The MN&S Freight Rail Study EAW Brief of Relators Appeal, Jami Ann LaPray.... appealed on this omission (Supporting data C, page 27).

Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on. Once the new studies are complete and the scope is decided, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed reroute prior to making decisions.

Action requested: the FTA noise and vibration manual points out that vibration control measures developed for rail transit systems are not effective for freight trains. Consideration of this information should be weighted within the discussion of impacts.

Action requested: SWLRT EIS should include a full list of mitigation that could be considered for both moderate and severe vibration impacts for the FRR.

#### 4.9 Hazardous and Contaminated Material page 119-130

Missing information: Table 4.9-1 has sites listed for the Freight Rail Reroute section. Diagram 4.9-3 to 4.9-5 has the FRR located on the diagram but the sites are not diagrammed as expected. It is not possible to evaluate the impacts of hazardous material without knowing where the sites are located. Therefore, it is not possible to comment effectively

Missing information: Page 4-127. There is a brief description of the Golden Auto Site. The comments by Canadian Pacific during the MN&S Freight Rail EAW should be considered: Due to the possibility of disturbing contaminants at the Golden Auto National Lead Site, it is unlikely that CP would be interested in taking responsibility for construction or ownership of the new connection between the Bass Lake Spur and the MN&S. The City Of St Louis Park also documented concerns on this site in their appeal to the EAW: The proposed interconnect structure will be constructed between city maintained wells near the Golden Auto site that may be impacted by construction or vibration (Supporting data B, page 20).

Missing information: Highway 7 and Wooddale Ave Vapor Intrusion site is located on the Freight Rail Reroute section. The SWLRT DEIS does not describe this MPCA, EPA site in the Hazardous Material section or analyze how the introduction of longer, heavier trains with increased vibration will impact the pollution potential.

Improper Analysis: Table 4.9-6 lists Short Term Construction Costs of Hazmat/Contaminated Sites. It is improper for the cost of the FRR to be added to alternative 3C-1, 3C-2. Both of these routes have the LRT traveling in the Midtown Corridor which makes it possible for the freight to remain in the Kenilworth Corridor.

Missing information: The SWLRT DEIS fails to analyze the long term costs. In detail, the long term expense of building the Bass Lake Spur to MN&S Spur connection on contaminated soil or the Golden Auto National Lead site.

Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on. Once the new studies are complete and the scope is decided, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed re-route prior to making decisions.

## CHAPTER 5 - ECONOMIC EFFECTS:

### 5.0 Economic Effects:

On September 2, 2011 the FTA mandated that the proposed freight rail reroute from the Bass Lake Spur to the MN&S Spur must be added to the SWLRT-DEIS (Letter from Marisol Simon, FTA to Susan Haigh, Met Council Safe in the Park - Chapter 5 Appendix – Document 1)

Because of this mandate addition of the proposed re-route must be included in the “study area” in a regular and consistent basis. Unfortunately, the inclusion of the proposed reroute in the analysis of this section is inconsistent. The inconsistency of the inclusion of the proposed re-route leads to inconsistent and incorrect conclusion about the cost of the SWLRT.

### 5.1 - Economic Conditions

Section 5.1 does not present any analysis, it is just cheerleading. Broad generalizations are made without substantiation. Terms such as “study area, market reaction and earning and output” are used, but the study area is not defined, which market is reacting is unclear and how earnings and output are determined is not explained (5-1).

In the last paragraph of this section the names of the resources used to determine output, earning and employment are given, but no links are supplied for reference. Furthermore, not only does the source used for the analysis of multipliers is the 1997 Benchmark Input-Output Table, not have a link, but it will also be over 20 years old by the time the SWLRT is complete (5-2). It seems irresponsible to base the cost of a multi-billion dollar project on decades old data.

Without links or data tables in the Appendix of the SWLRT-DEIS it is difficult if not impossible for the average resident to make substantive comments about the data tables in this sections. Due to the November 26, 2012 revelation (Correction Letter from HDR and updated table Safe in the Park - Chapter 5 Appendix – Document 2) about “typos” the need for reference materials is all the more important.

#### 5.1.1 - Output, Earnings and Employment Effects from Capital expenditures

Capital cost estimates/constructions values are presented in year of expenditure (YOE) dollars. However, the year actually used for analysis in this document is not shared. Also, the YOE must change since the construction of the SWLRT will cover more than one year. Without hard data and a moving YOE substantive comment is impossible creating an analysis that is opaque and not transparent.

#### **Table 5.1-1 - Summary of Capital Cost (in YOE dollars) by Build Alternative**

The re-routing of freight trains from one area to another is not unique to St. Louis Park. Train rerouting has occurred throughout the United States, Canada and Western Europe. Multiple studies about the impacts of such re-routes exist. One item that consistently appears in all the studies (Property Valuation Articles and summary - Safety in the Park - Chapter 5 Appendix – Documents 3-8) is the negative impact of the re-routed freight trains on the community that is forced to accept the trains. Although the negative impacts on small business and the loss of property value in these cases can't be called a capital cost, the negative impacts are costs nonetheless.

Because the table 5.1-1 does not include the loss of property value and loss of small business revenue in the re-route area of LRT 3A (LPA - Re-Route) the true cost of LRT 3A (LPA- Re-Route) route and how it compares to the other LPA routes is not known (5-3).

#### **5.1.1.2 Funding Sources**

As with section 5.1 the names of the reference sources are given, but no links or actual data tables are provided. This lack of information puts the average resident who does not have a paid staff to help with their SWLT-DEIS comment at a disadvantage. Despite or perhaps because of the disadvantage, questions about the conclusions arise and are as follows:.

- Final demand earnings--Are these earnings adjusted or disappear if a construction company or engineering firm from outside the Minneapolis—St.Paul-Bloomington Metropolitan Statistical Area (MSA) is chosen?
- The state participation dollars are considered “new” dollars, but the MSA is the biggest funding source for the state, so are they truly “new” dollars?
- When the number of jobs and earnings are calculated are the jobs lost to business takes or floundering small businesses in the study area figured into the final numbers?

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#### **5.2.1 Land Use**

5.2.1.3 - It is unclear from the text of this section if the land use in the re-route area along the MN&S is included in the percentages given. If not, why not?



## 5.2.2 and 5.2.3 Short Term Effects and Mitigation

Although the titles of Table 5.2-2 and 5.2-3 include the words "Station Area" the text of 5.2.2 and 5.2.3 state that the tables will explain the short term effects and needed mitigation for the entire alignment of each LRT route (5-4 and 5-5). The text in each table also refers to the entire alignment of the LRT routes with the exception of the LRT 3A (LPA-reroute.) Because the MN&S Spur area is part of the LRT 3A (LPA-re-route) alignment it must be included in the analysis of the short term effects and needed mitigation . If the re-route portion of the LRT 3A (LPA-reroute) is not included in the analysis, the conclusion drawn will be incorrect.

The re-route of LRT 3A (LPA-re-route) appear to have been left out of the tables 5.2-2 and 5.2-3. Below are comments about short term effects and mitigation that need to be added to LRT 3A (LPA re-route) so it can be compared equally to the other LRT routes.

Table 5.5-2 - Short Term Effects

- Environmental Metric: Access Circulation - LRT 3A (LPA-reroute) **High**
  - Potential impacts to the CP along the MN&S Spur during construction of the new tracks eight feet east of the current track alignment. During regular track maintenance during the summer of 2012 there were anomalies in rail service.
  - Potential to impact access to homeowners whose properties are adjacent to the MN&S.
- Environmental Metric: Traffic - LRT 3A (LPA reroute) **Medium-High**
  - During construction temporary closures of at-grade crossings. Depending on the crossing that are closed and the duration of the closings there could be impacts to small businesses and access by emergency vehicles to homes.
  - The building of the new rail bridge over TH 7 will cause service interruptions to the CP. The rail companies commented in the EAW about service delays that could be a month or more during MN&S track reconstruction.  
[http://www.mnsrailstudy.org/key\\_documents](http://www.mnsrailstudy.org/key_documents)

Table 5.2.3 - Mitigation

- Proposed Mitigation for Short-term Effects - LRT 3A (LPA-re-route) - Besides listed construction mitigation will the CP need a temporary bridge over TH7 or temporary trackage while a new berm is built and new trackage laid?



## 5.2.4 Long-Term Effects

Although the title of Table 5.2-4 includes the words "Station Area" the text of 5.2.4 states that the table will explain the long effects and needed mitigation for the entire alignment of each LRT route (5-8). The text in the table also refers to the entire alignment of the LRT routes with the exception of the LRT 3A(LPA reroute.) Because the MN&S Spur area is part of the LRT 3A (LPA reroute) alignment it must be included in the analysis of the long-term effects. If the re-route portion of the LRT 3A (LPA-reroute) is not included in the analysis, the conclusion drawn will be incorrect.

Table 5.2-4 - Long Term Effects - Environmental Metrics

- Environmental Metric: Consistency with Land Use Plans
  - LRT 3A (LPA - re-route)
    - Inconsistent with city vision which does not mention as desire for the freight rail to be moved from the Bass Lake Spur to the MN&S Spur  
[http://www.stlouispark.org/vision-st-louis-park/about-vision-st-louis-park.html?zoom\\_highlight=vision](http://www.stlouispark.org/vision-st-louis-park/about-vision-st-louis-park.html?zoom_highlight=vision)
    - Multiple St. Louis Park City resolutions that state the re-routing of freight is unacceptable (1996--City of St. Louis Park Resolution - 96-73 (Safety in the Park Chapter 1 Appendix- Document 1) 2001 City of St. Louis Park Resolution - 01-120 (Safety in the Park Chapter 1 Appendix - Document 2) 2010 City of St. Louis Park Resolution - 10-070  
[http://www.stlouispark.org/webfiles/file/freight\\_rail.pdf](http://www.stlouispark.org/webfiles/file/freight_rail.pdf) 2011 City of St. Louis Park Resolution 11-058  
[http://www.stlouispark.org/webfiles/file/community-dev/5-31-11\\_resolution\\_relating\\_to\\_freight\\_activity\\_in\\_slp.pdf](http://www.stlouispark.org/webfiles/file/community-dev/5-31-11_resolution_relating_to_freight_activity_in_slp.pdf))
  - LRT 3A-1 (LPA - Co-location)
    - The Minneapolis and Hennepin County Land Use plans do not predate the St. Louis Park City resolutions rejecting the freight rail reroute.
    - SEH Plan safer and less costly than Re-route  
([http://www.stlouispark.org/webfiles/file/community-dev/techmemo\\_4.pdf](http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf).)
    - Issues with transit-oriented development are surmountable. The Cleveland trains pages 41 to 43 in the common corridors document clearly demonstrates feasibility and safety of running lrt and freight at grade, at high speeds, and without safety fences. Nearly 50 years without incident in this co-location corridor  
<http://www.fra.dot.gov/downloads/research/ord0316.pdf>

- Environmental Metric: Displacement Parking/Access Regulations
  - LRT 3A (LPA - re-route)
    - Small Businesses in the re-route area are likely to experience negative impacts caused by blocked intersections, noise and vibration due to re-routed freight trains
    - Schools in the re-route area are likely to experience access issues due to longer more frequent freight trains
  - LRT 3A-1 (LPA - Co-location) - Access issues in the co-location area are similar to the access issues faced at Blake Rd. and on the proposed Bottineau Line. All are surmountable.
- Environmental Metric: Developmental Potential
  - LRT 3A (LPA - re-route) -
    - Potential development for Lake Street small businesses will be negatively impacted
    - Potential for homeowners to take part in St. Louis Park City Plans to upgrade their homes will be impacted by the negative implications of increased freight traffic on property values (<http://www.stlouispark.org/remodeling-incentives.html>)
  - LRT 3A-1 (LPA - Co-location) - No changes needed to text

### 5.2.5 Mitigation

The statement in section 5.2.5.3 "All Build Alternatives are anticipated to have some degree of positive effect on development potential for the local community and region. No mitigation is required" (5-22) might be true for the alignment areas near the SWLRT, but it is completely untrue about the alignment portion of LRT 3A (LPA - re-route) that includes the re-route. There are no benefits from the SWLRT that are great enough to override the negative impacts of the re-route.

## CHAPTER 6 - TRANSPORTATION EFFECTS:

### Section 6.2 Effects on Roadways

Table 6.2-1 lists all of the Build Alternatives which all include the FRR with the exception of 3A-1. All of these alternatives should be re-evaluated to determine whether the re-route is necessary or that extended co-location of light rail and freight rail can continue east of the MNS crossing.

#### 6.2.2 Long-Term Effects

##### 6.2.2.2 Physical Modifications to Existing Roadways

Missing are modifications for the Freight Rail Re-Route at grade crossings. No evaluation for circulation patterns for the proposed closing of 29th street. Evaluation of impacts of the proposed Whistle Quiet Zones at the MNS/Library Lane/Lake Street intersection and Dakota Ave are also missing. This section requires further study.

##### 6.2.2.3 Operational Impacts at Intersections

According to the criteria for selecting crossings for evaluation, the second criteria is *"Intersections where a signal, roundabout, or stop sign controlling the roadway crossing the tracks was located within 600 feet of the LRT crossing."* MNS crossings at Walker Street, Library Lane, and Dakota all fall into this category and require LOS analysis. Additionally it should be noted that the Lake Street crossing lies within 600 feet of State Highway 7. A more thorough evaluation of the roadways in the vicinity of the MN&S tracks is clearly required. Cedar Lake Road???

Missing are factors for growth both for vehicle traffic and freight train traffic with regard to traffic impacts on the Freight Rail Re-route on the MN&S track at-grade crossings.

On page 6-38, in the queuing analysis for the freight rail re-route, the analysis of traffic delays refer to the afternoon school bus crossing at Library lane/Lake St. The delay was stated to be 3-4 minutes and involved queuing of 2 to 6 vehicles. We conducted our own traffic count over the course of three days this fall and made the following observation:

	DEIS Survey	Tue, 12/4/12	Wed, 12/5/12	Thu, 12/6/12
Blockage Time mm:ss)	03:00-04:00	02:01	02:09	02:18
Eastbound Lake St	6	9	6	10
Westbound Lake St	2	11	8	9
Southbound Library Ln	4	3	2	1

A brief interview with the police officer who routinely conducted the traffic stoppage stated that the traffic we observed was typical and that occasionally the eastbound Lake St. traffic backs up past Walker St. Extrapolating our counts using the train blockage times listed in the DEIS for the FRR we calculate queues greater than 120 cars (12.5 minutes worst case scenario) may be possible. The discrepancy noted in these observations warrant further study using accurate measurement tools and growth factors for both the vehicle and freight train traffic.

The evaluation using the school bus scenario explained on page 6-38 also completely misses the opportunity to analyze the effect a 12.5 minute delay would have on the afternoon school bus traffic between PSI and the High School. Delays of this magnitude would severely delay and complicate the scheduled bus movements for the rest of the afternoon. A thorough evaluation of both the morning and afternoon school bus traffic is needed to fully determine the impacts to the schools and community.

On page 6-39 during the analysis of Segment A of 3A-1 Alternative a 20 year growth factor of 1.12 were applied to the vehicle counts. This is not comparable to the method used on the FRR segment.

#### Section 6.2.4 Mitigation

The DEIS suggest the addition of street signage warning motorists of an approaching train to grade separated crossings. The plural on crossings is interesting because to our knowledge no additional grade separated crossings on the MN&S are proposed so only the current Minnetonka Blvd crossing would apply. The placement of these signs would be problematic in that they would need to be far from the affected sites in some cases and have no direct bearing on the local situation. For example, signs indicating train traffic for westbound Lake St traffic would need to be located at Hwy 100 in order to re-direct them onto Minnetonka Blvd. These signs would also have the unintended consequence of putting drivers unfamiliar with the neighborhood on local streets.

### 6.3 Effects on Other Transportation Facilities and Services

#### 6.3.1 Existing Facilities

##### 6.3.1.2 Freight Rail Operations

This section has a discussion of the current freight traffic on the four active rail lines in the study area. Due to the longevity of the decision being made regarding freight rail traffic, any evaluation that does not include predicted future growth of freight and /or commuter rail operations on both the MN&S and Kenilworth configurations seems very short sighted.

##### Section 6.3.1.4 Bicycle and Pedestrian Facilities

The bicycle and pedestrian trails are referred to as "interim-use trails." Alignments of the LRT and Freight rail tracks in the Kenilworth corridor should be considered with additional co-located configurations and alternate locations of the bicycle and pedestrian trails.

#### 6.3.2 Long-Term Effects

##### 6.3.2.2, Freight Rail Operations

Discussion of the freight rail track bed in the Bass Lake Spur corridor for the co-location alternative fails to recognize that these improvements would be necessary regardless of which alternative is used. Unless a southern interconnect to the MN&S is built and the Skunk Hollow switching wye is removed these tracks will be necessary to facilitate the use of the wye. This would include the bridge over Hwy 100. This cost must be included in the estimates for either the 3A or the 3A-1 alternatives.



## CHAPTER 7 - SECTION 4(f) EVALUATION:

### 7.0 Section 4(f) Evaluation

Chapter 7.0 of the SWLRT DEIS includes an analysis of the potential use of federally protected properties for the various proposed routes of the project. This response specifically relates to Section 4(f) impacts to routes 3-A (LPA) and 3A-1 (co-location); the remaining routes are not included as a part of this comment. The comment is organized by route, using 3A as a basis for comparison. This comment surfaces omissions, inconsistencies, and route alternatives not included in the DEIS, but that must be addressed in further analysis by the design team and included in the subsequent FEIS.

Before analyzing and comparing Section 4(f) impacts to routes 3A and 3A-1, it is important to make clear that the bike and pedestrian trails currently within the HCRRA ROW are not protected via Section 4(f) rules and guidelines as stated in Section 7.4 on page 7-6 of the DEIS: *"The existing trails adjacent to Segments 1, 4, A and a portion of Segments C (the Cedar Lake LRT Regional Trail, Minnesota River Bluffs LRT Regional Trail, Kenilworth Trail, and Midtown Greenway) were all constructed on HCRAA property under temporary agreements between the HCRRA and the trail permittees. As documented in each trail's interim use agreement, HCRRA permitted these trails as temporary uses with the stipulation that they may be used until HCRRA develops the corridor for a LRT system or other permitted transportation use. Therefore these trails are not subject to protection as Section 4(f) property".*

#### Route 3A

Table 7.4-1 of the DEIS states that 0.00 acres of section 4(f) property is affected in Section A of the proposed route. The DEIS also states that a historic channel between Brownie Lake and Cedar Lakes may be affected by construction of this route. A calculation of the affected area is not included in Table 7.4-1, and it is not mentioned whether this affected area is considered a permanent or temporary use. This is an omission from the DEIS and an inconsistency between analysis and comparison of routes 3A and 3A-1. For contrast, the analysis of Route 3A-1 includes very detailed Section 4(f) area calculations, down to the hundredth of an acre, for bridge and other related construction at both Cedar Lake Parkway and Lake of the Isles. A revised DEIS or FEIS must address this omission and inconsistency by providing a calculation of the area impacted at the historic channel between Brownie Lake and Cedar Lake.

Section 7.4.1.4, page 7-20 of the DEIS explicitly states that land ownership along the segment from downtown Minneapolis to Cedar Lake Park is complicated and may need additional survey or a detailed title search to determine ownership of the underlying land. This is another omission. The U.S. Department of Transportation Federal Highway Administration's Office of Planning, Environment, and Realty Project Development and Environmental Review Section 4(f) Policy Paper dated July 2012, section 3.2, page 7 states:

"In making any finding of use involving Section 4(f) properties, it is necessary to have up to date right-of-way information and clearly defined property boundaries for the Section 4(f) properties. For publicly owned parks, recreation areas, and refuges, the boundary of the Section 4(f) resource is generally determined by the property ownership boundary. Up-to-date right-of-way records are needed to ensure that the ownership boundaries are accurately documented."

Without up-to-date property records and boundaries, an accurate representation of Section 4(f) property cannot be stated. The admitted complexity of property boundaries and incomplete understanding of these boundaries shall be rectified by including additional survey and title searches in a revised DEIS or the FEIS to provide a more accurate and transparent representation of Section 4(f) property impact for route 3A.

Table 7.4-1 of the DEIS states that 0.227 acres of Section 4(f) property within the Nine Mile Creek area is necessary for construction of route 3A. According to Chapter 7, Section 7.4.1.4, page 7-20 of the DEIS, the 0.227 acres of Section 4(f) area required for construction of route 3A is considered *de minimus*. This is an important figure as it sets precedent for analysis of the other routes considered for the project. These 0.227 acres of area shall be used as a basis for determining the *de minimus* quantity of Section 4(f) property for the remaining routes considered for this project. Taking this basis into consideration, the Section 4(f) property uses at Lake of the Isles of 0.01 acres, and at Cedar Lake Parkway of 0.07 acres (a total of 0.08 acres) for Route 3A-1 thus become immaterial or *de minimus*. Therefore the only material point of contention in discussing Section 4(f) property uses between routes 3A and 3A-1 is the 0.81 acres of Minneapolis Park Board property listed in the DEIS Table 7.4-1.

#### Route 3A-1

Taking into consideration the points made above regarding *de minimus* quantities of Section 4(f) property, the Section 4(f) uses at Cedar Lake Parkway and Lake of the Isles are negligible; the remaining 0.81 acres of Section 4(f) property use (Minneapolis Park Board property) is the only material quantity of land that should be analyzed for route 3A-1.

Section 7.4.1.5 of the DEIS discusses conceptual engineering as follows:

*"Segment A of LRT 3A-1 (co-location alternative), which would co-locate freight rail, light rail and the commuter trail within this segment would necessitate additional expansion of ROW outside of the HCRRA-owned parcels into adjacent parkland. Section 4(f) uses could occur for the Cedar Lake Park, Cedar Lake Parkway and Lake of the Isles portions of the Minneapolis Chain of Lakes Regional Park for reconstruction of existing bridges, construction of new LRT tracks and realignment of the existing freight rail tracks. The conceptual engineering complete to date for the project identifies approximately 0.81 acres of permanent use of Cedar Lake Park for the location of the reconstruction of the freight rail track."*

The DEIS then contradicts the above statement, two sentences later, with this statement:

*"Construction limits have not been determined for the co-location segment, but it is likely that additional temporary uses of parkland will occur."*

Without determining construction limits for the co-location segment, it is unclear how the figure 0.81 acres of Section 4(f) parkland use was calculated. The DEIS calls out this 0.81 acres of use, but it does not clearly delineate the boundaries of the park property that must be used. The only representation of the 0.81 acres is shown in a visual aid - Figure 7.4-6, page 7-16. From this graphic, it appears that the Section 4(f) use would occur in Section A of the route between the proposed 21st Street and Penn Avenue Station. The graphic only contains visual representations of where park land use may be required. No detailed engineering drawings containing plan views of construction limits or cross-sections are provided to demonstrate the required use of park land for route 3A-1. This is a critical omission from the DEIS; a revised DEIS or FEIS must clearly show the limits of construction causing the required use of Section 4(f) property within section A of this project. If the delineation of construction limits demonstrates that use of Section 4(f) park property is in fact required for Route 3A-1, alternative permutations of this same route must be given consideration as viable alternatives as outlined in the 1966 FHA Section 4(f) documents. Just because one configuration of route 3A-1 requires park land, does not imply that other configurations of the same route would also require temporary or permanent park land use. Alternative configurations of route 3A-1 that eliminate or minimize Section 4(f) property uses must be included in a revised DEIS or FEIS. From this point forward, this comment will focus on the portion of the project between Burnham Road and the proposed Penn Avenue station, as this is the area that the DEIS states Section 4(f) park land is required for construction of the project.

Again, a thorough representation of property boundaries and ownership along section A of routes 3A and 3A-1 is not included within the DEIS. The DEIS explicitly states this in Section 7.4.1.4, page 7-20 "Land ownership along section A is complicated and may need additional survey information to accurately represent property boundaries, etc..." Appendix 7A shows Hennepin County property boundaries and a representation that the existing freight rail tracks in the Kenilworth Corridor appear to be on Cedar Lake Park property. Appendix 7 C also shows how skewed the Hennepin County property boundaries are depicted in conceptual engineering drawings. Hennepin County produced a memorandum attempting to address the issue. The document is in Appendix H,, Part 1, page 50 of the DEIS. It is titled "Technical Memorandum" by Katie Walker, dated March 23, 2012. This memorandum outlines a problem with Hennepin County parcel data, and very generally dismisses the property boundary issues, additionally stating that the existing freight tracks through the Kenilworth Corridor are on HCRRA property and that survey quality data will be provided during preliminary and final design stages. This is not acceptable. Without accurate survey drawings the Section 4(f) analysis has absolutely no factual survey basis to stand on, rendering the analysis useless and arguably laughable. This is a major omission from the DEIS and project as a whole; accurate definition of property boundaries and ownership is a fundamental and absolutely essential piece of due diligence required for sound planning and design of any land development project.

Taking the above points into consideration and upon further investigation of property boundaries and ownership along Section A of route 3A-1, it is apparent that more property, and subsequently, various permutations of route 3A-1 are available for consideration in eliminating or minimizing Section 4(f) property use. Hennepin County property records show a ROW corridor owned by HCRRA where proposed LRT and trails would be located together. This corridor is generally 50 feet in width. If this corridor is considered as the only property available for construction of LRT, Freight Rail, Pedestrian and Bike trails, it is apparent that there is not enough width to accommodate all of these uses. A blatant and obvious omission from the analysis is the property directly adjacent to the east of this ROW corridors is owned by HCRRA and provides an additional 100 feet to 200+ feet of width to the corridor adjacent to Cedar Lake Park. The DEIS does state on page 7-21 that: "The majority of the land along Segment A through the Kenilworth Corridor by Cedar Lake Parkway belongs to the HCRRA. The additional parcels of property adjacent to the project corridor, owned by HCRRA, and that could be considered for additional configurations of route 3A-1 are recorded in Hennepin County property records and displayed on Hennepin County Property Records website. The parcels that must be included in additional configurations of route 3A-1 include PID 2902904410044, PID 3202924120046, PID 3202924120045, PID 3202924120005, and PID 320292413001. Please see Appendix 7 B for visual representations of these parcels in relation to Cedar Lake Park and the existing HCRRA ROW.

In summary the DEIS calls out 0.81 acres of Section 4(f) property as required for Co-location. This simply is not necessary. As outlined above and shown in appendix 7 of this DEIS comment document there is plenty of width from 21st St to Penn avenue to accommodate Irt, freight, and trails without using any parkland whatsoever. This is a major omission from the DEIS, and a blatant misrepresentation of facts that must be addressed in a revised DEIS or FEIS. With this said, use of Section 4(f) property becomes a non-issue for co-location, and this should be stated as such in the DEIS. Please see appendix 7 D for a discussion of legal aspects of Section 4(f) analysis as it relates to this project. A St. Louis Park resident, Mark Berg, discusses legal ramifications of Section 4(f) analysis on co-location of SWLRT and freight rail. Please consider his written letter as a companion document to this DEIS response. The analysis above combined with the legal aspects discussed by Mr. Berg demonstrate that the DEIS's 4(f) analysis is flawed and a new analysis must be undertaken by the project to rectify omissions, misrepresentation of facts, and ambiguities related to property boundaries, proposed project boundaries and overall section 4(f) property use.



## CHAPTER 8 - FINANCIAL ANALYSIS:

### 8.0 - Financial Analysis

In September of 2011 the FTA mandated that the proposed freight rail reroute from the Bass Lake Spur to the MN&S Spur must be added to the SWLRT-DEIS (Letter from Marisol Simon, FTA to Susan Haigh, Met Council Safe in the Park - Chapter 5 Appendix – Document 1) Because of this mandate addition of the proposed re-route must be included in the “study area” in a regular and consistent basis. Unfortunately, the inclusion of the proposed reroute in the analysis of this section is inconsistent. The inconsistency of the inclusion of the proposed re-route leads to inconsistent and incorrect conclusion about the cost of the SWLRT.

In section 8.1.2 methodology a list of the resources used to determine the cost of the SWLRT project are given. No links or data tables are actually shared in the SWLRT-DEIS (8.1).

Without links or data tables in the Appendix of the SWLRT-DEIS it is difficult if not impossible for the average resident to make substantive comments about the data tables and information in this section. Due to the November 26, 2012 revelation (Correction Letter from HDR and updated table Safe in the Park - Chapter 5 Appendix – Document 2) about “typos” the need for reference materials is all the more important. In fact, the errors in this section coupled with the misrepresentations, inconsistencies, omitted information and other mistakes, bring the validity of the entire SWLRT-DEIS into question.

Are there any other “typos” in the DEIS? Claiming a \$100,000,000 “typo” conveniently narrows (but does not eliminate) the cost disadvantage of the HCRRA’s favored LRT 3A (LPA- Re-route) relative to the less expensive LRT 3A-1(LPA - co-location). How will the additional \$100,000,000 cost of the project be funded? The HCRRA’s “Corrected Table 8.1-1” shows the additional \$100,000,000 in “Professional Services”. (8-2) Presumably the numbers in Table 8.1-1 come from spreadsheets, and where in the supporting spreadsheets did the error occur? Were the underestimated Professional Services costs in civil engineering, or public relations or project accounting? Who entered the wrong number and how is the public to know that the numbers are now correct?

Table 8.1-1 - Cost estimate for build alternatives.

The re-routing of freight trains from one area to another is not unique to St. Louis Park. Train rerouting has occurred throughout the United States, Canada and Western Europe. Multiple studies about the impacts of such re-routes exist. One item that consistently appears in all the studies (Property Valuation Articles and summary - Safety in the Park - Chapter 5 Appendix – Documents 3-8) is the negative impact of the re-routed freight trains on the community that is forced to accept the trains. Although the negative impacts on small business and the loss of property value in these cases can’t be called a capital cost, the negative impacts are costs nonetheless. Furthermore, the slim cost margin between re-route and co-location seems inconsistent with the amount of building needed in each alignment.

Section 8.1.4.1: Federal Section 5309 New Starts. This section states, "The local project partners have assumed that the Southwest Transitway will be funded 50 percent with New Starts funding" (8-3). Justification for this assumption is not provided and a different assumption could just as easily be made that would fundamentally change the cost/benefits outcome of the project.

Section 8.1.4.4: Regional Railroad Authorities. As noted in this section, Regional Railroad Authorities exist "...for the specific purpose of providing for the planning, preservation, and improvement of rail service including passenger rail service and to provide for the preservation of abandoned rail right-of-way for future transportation uses" (8-4). (Contrary to this purpose, re-routing freight trains from the Kenilworth Corridor would sacrifice a relatively straight, flat, direct and efficient railroad route in order to preserve a bike path. If the purpose of "preservation of abandoned rail right-of-way for future transportation uses" had occurred as intended, the land for townhouses at the "pinch point" would never have been sold. HCRRA is not fulfilling the purpose for which it was intended.

## **8.2 - Operating Funding Strategy**

Section 8.2.1: Operating and Maintenance Costs. This section states, "No freight rail operating and maintenance costs will be attributed to the project because HCRRA has no obligation to the freight railroads operating in the study area to reimburse either operating or maintenance costs" (8-5). The TC&W stated publicly during the PMT process that it would cost more for it to operate its trains along the re-route than on their present route through the Kenilworth Corridor and that it needed to have "economic equilibrium" before agreeing to the re-route. As made clear by Section 8.2.1, there is no provision in the DEIS to provide "economic equilibrium" to the TC&W. Leaving a critical stakeholder's needs unaddressed undermines the credibility of the DEIS. The HCRRA joins the TC&W and the CP in explicitly renouncing responsibility for maintenance of the new MN&S interconnects that would be necessitated by the re-route, leaving this ongoing economic requirement to become an open sore for future county/railroad relations. ([http://www.mnsrailstudy.org/key\\_documents](http://www.mnsrailstudy.org/key_documents))

Section 8.2.2: Bus O&M Costs. This section states that bus operating and maintenance (O&M) costs vary with the level of service provided, and that, "Fixed costs do not change with the level of service..." while the same paragraph also states. "Therefore, the fixed costs are 20 percent of the total (O&M costs)" (8-5). However, if O&M costs vary with activity levels and fixed costs are 20 percent of total bus O&M costs, the fixed costs are not really fixed and may be understated in the DEIS.

Section 8.2.3: Light Rail Transit Operations and Maintenance Costs. This section states, "Variable costs of LRT are assumed to be 86 percent of the total cost with the fixed cost being 14 percent of the total" (8-5). Left unexplained is what items are included in fixed cost for LRT and why fixed costs for LRT are only 14% of total O&M costs when LRT has a much higher level of fixed assets to maintain (track and overhead power lines) than the bus alternative. If fixed costs for the bus alternative are only 20% of O&M and fixed costs for LRT are 16% of O&M, the ongoing fixed costs of maintaining the larger capital base required for LRT may be understated by the DEIS.

Table 8.2-3 . "system O&M costs for building alternatives" shows the cost for LRT 3A (LPA, re-route) and LRT 3A-1 (LPA, co-location) to have exactly the same operating costs. However, LRT 3A (LPA, re-route) needs to include the costs of maintenance for the two interconnects. According to the responses from the CP in the MN&S EAW ([http://www.mnsrailstudy.org/key\\_documents](http://www.mnsrailstudy.org/key_documents)), they have declined to be responsible to maintain the interconnect (8-7). Therefore, the cost of maintenance must fall on the SWLRT and be represented in the cost table.

Section 8.2.5.1: Fare Revenues. This section states, "Ridership i anticipated to grow along with increasing population and employment" (8-7 & 8-8). Unacknowledged in the DEIS is the growth of telecommuting which might reduce demand for transit in the future, leaving the SWLRT as underused as the Northstar commuter line.

The DEIS states, "In 2011, 26 percent of the total MVST (Motor Vehicle Sales Tax) revenues were dedicated to transit needs in the Twin Cities metropolitan area" (8-8). This percentage could go up or down in the future but without explaining why, the numbers in Table 8.2-4 show the percentage increasing to 26.47% in 2012 and the following years, a higher percentage than 21.7% to 26% range observed since 2009 (8-8). Left unexplained is which part of Minnesota will give up some of its share of MVST revenues to provide more to the metropolitan area.

Section 8.2.5.2: CTIB Operating Funding. As described in this section, the Counties Transit Improvement Board has agreed to provide a percentage of the operating assistance required for the SWLRT and other light rail projects as well as the Northstar commuter line (8-8). If Northstar continues to miss its budget targets how will CTIB continue to subsidize the SWLRT?

Section 8.2.5.5: State General Funding. This section states, "State funding for transit operations has grown over recent biennia" (8-9). The numbers provided show that state funding declined 32.45% in the most recent biennium and funding declined in two of the last four biennia. The DEIS takes an optimistic case for continued state funding.

Section 8.3: Strategy for Potential Funding Shortfalls. It is asserted in this section that, "Short term shortfalls are covered by the operating reserves. In the longer term, Metro Transit relies on the MVST growth and its fare policy." "The MVST revenues are projected to increase at a rate of 4.6 percent per year in the long run. This forecast is viewed as conservative for financial planning purposes as historical trended MVST receipts for the period of 1973 to 2008 averaged 5.7 percent" (8-9, 8-10). Assuming the above percentages indicate real growth rather than inflation-based growth, the 1973 to 2008 growth was calculated from a recession year to a year at the end of a financial bubble that may have artificially exaggerated growth. Normalized long-term growth in U.S. Gross Domestic Product is generally forecast in the 2% to 3% range, and Minnesota's gross domestic product is likely to be in the same range, but if MVST receipts increase at a faster 4.6 percent rate over the long term, eventually 100% of Minnesota's gross domestic product will be collected in MVST, an arithmetically unlikely outcome rendering the DEIS' long-term operating funding projections questionable.

Another source of operating funding noted in this section is higher fares, which admittedly reduce ridership. The DEIS states, "The state's commitment to transit in the Metro region may be regarded as an opportunity of financial risk management for operations" (8-10) which might be rephrased, "maybe they will bail us out." Also mentioned as sources of supplemental operating funding are "non-farebox revenue sources" which raises the question of why these potential sources haven't been previously developed.



## CHAPTER 9 - INDIRECT EFFECTS AND CUMULATIVE IMPACTS:

As stated in the comment for Chapter 1 of this SWLRT-DEIS response the essential purpose of the National Environmental Protection Act (NEPA) is to ensure that environmental factors are weighted equally before an infrastructure project can be undertaken by a federal agency. The extent to which this SWLRT-DEIS does not fulfill the essential purpose of NEPA is particularly evident as the indirect and cumulative impacts of the SWLRT are discussed.

In September of 2011 the FTA mandated that the proposed freight rail reroute from the Bass Lake Spur to the MN&S Spur must be added to the SWLRT-DEIS (Letter from Marisol Simon, FTA to Susan Haigh, Met Council Safe in the Park - Chapter 5 Appendix - Document 1). Because of this mandate addition of the proposed re-route must be included in the "study area" in a regular and consistent basis. Unfortunately, the inclusion of the proposed reroute in the analysis of this section is inconsistent. The inconsistency of the inclusion of the proposed re-route leads to inconsistent and incorrect conclusion about the cost of the SWLRT.

In sections **9.1- 9.2** The methods used and criteria of indirect and cumulative impacts are defined. Section 9.1.12 - states that " Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time" [40 C.F.R. § 1508.7] (9-1). On the next page of the SWLRT-DEIS section 9.2.2 states "Build Alternative and other actions, including past, present, and future, were identified and added to the direct effects of each alternative (as presented in Chapters 3, 4, 5, 6, and 7 of this Draft EIS) to arrive at the total potential cumulative impact" (9-2). What is left out of these sections is the fact that the re-route area of the SWLRT-DEIS has never been evaluated in respect to 40 C.F.R. § 1508.7 and that in Chapters 3, 4, 5, 6 and 7 of this DEIS the direct impacts of the re-route portion were not evaluated in a good faith effort.



### **9.2.3 Study Area Definition**

Section 9.2.3.1 defines the area "½ mile around the station areas" (9-3) as the area for indirect impact while section 9.2.3.2 defines the cumulative impact area as the area "about one mile on each side of the Build Alternatives' alignments" (9-3, 9-4). This is true for all of the SWLRT build options except for the MN&S re-route area. Despite being an official part of the SWLRT project, the area "about one mile on each side" of the MN&S re-route area has been left out the evaluation of cumulative impacts. An argument can actually be made that not only should the MN&S re-route track area of study be a one mile radius, but in fact because the weight, vibration, noise, and other factors are greater for freight trains than light rail trains, an even broader area should be studied for the freight re-route area.

It must be pointed out that although segment A is part of the 3A(LPA - Re-route) the area from approximately Penn Station east to Downtown Minneapolis has not been included in the discussion of the re-route. However, that same area is considered part of the co-location discussion of 3A-1(LPA-Co-Location). This is thoroughly discussed in Chapter Two comments of this document.

### **9.3 - Existing Conditions and Development Trends**

There are so many vague assertions in this section that it is difficult if not impossible for the average resident of Hennepin County to substantively comment on this section . It is asserted that the economy of the Southwest metro is vibrant and growing, but in Chapter one of this DEIS document errors were found in regard to the number of jobs near the SWLRT alignment. It stated that the information comes from the October 2008 Market assessment (9-4). However, using the search bar on this DEIS and a close scrutiny of Appendix H, it is impossible to find the 2008 Market assessment or the data about population, household, and employment as it relates to the re-route portion of the 3A (LPA-re-route)

The existing conditions and the impacts regarding the proposed reroute area were NOT covered in Chapters 3,4,5 and 6 of the SWLRT-DEIS. The conclusions drawn in section 9.3 about the proposed reroute area are at best under represented and at worst completely wrong.

### **9.4 - Reasonably Foreseeable Future Actions**

The proposed new intersection at TH 7 and Louisiana in St. Louis Park seems to be missing. The St. Louis Park City Council voted unanimously on December 3, 2012 to move forward with the project.

## 9.5 Potential for Indirect Effects and/or Cumulative Impacts

Missing from the SWLRT-DEIS is a comprehensive look at the indirect and/or cumulative impacts on the proposed re-route area. Using the Report done for the City of St. Louis Park by Short, Elliot and Hendricson (SEH) [http://www.stlouispark.org/webfiles/file/community-dev/techmemo\\_4.pdf](http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf)

the responses to the MN&S EAW ([http://www.mnsrailstudy.org/key\\_documents](http://www.mnsrailstudy.org/key_documents)) and the Comments to Chapters 3,4, 5 and 6 from this document, a table detailing the indirect and/cumulative impacts is presented. For purposes of evaluating the indirect and cumulative impacts of the proposed re-route area, we define the area for both indirect and cumulative impacts as the area about one mile on either side of the re-route alignment beginning just east of Minnehaha Creek on the west and the point where the new alignment joins the BNSF near Cedar Lake in the east.

Indirect impacts are the things that can only be qualified, while the cumulative impacts are as defined in section 9.1.12: "Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time" [40 C.F.R. § 1508.7] (9-1).

Table 9.5-1. Resources with potential for indirect effects or cumulative impacts

NEPA TOPIC	POSSIBLE INDIRECT IMPACT TO RE-ROUTE AREA	POSSIBLE CUMULATIVE IMPACTS TO RE-ROUTE AREA
Land use and socioeconomics	Yes, Parks will be less attractive as noise and pollution from freight trains increases.	Yes, small businesses in the area will experience difficulty due to traffic conditions
Neighborhoods, community services and community cohesion	Yes, Loss of community pride after FRR is 'forced'. Areas around the MN&S will become blighted as homes suffer from effects of extreme vibration	Yes, Loss of property value will cause higher rate of foreclosure and rental vs ownership rates. Emergency vehicles will have difficulty moving about the re-route area, STEP will be impacted by noise and vibration. Gentrification will become impossible!
Acquisitions and displacements/relocations	Yes, homes will need to be taken to create a safer ROW or if not taken neighborhood blight will occur	Yes, removal of homes or decline in value of homes that are not taken will result in a lower tax base for St. Louis

		Park. Inverse condemnation due to loss of enjoyment from negative impacts.
Visual quality and aesthetics	Yes, garbage stuck in fencing needed to create the supposed whistle free zones will be an eyesore. The interconnect structure will be site for graffiti.	Yes, The interconnect structure needed to accomplish reroute will dwarf everything in the area and change the overall look of the community. Maintenance and upkeep will be neglected because ownership of interconnect is not clear.
Safety and security	Yes, the amount of hazardous material transported will increase with increased track usage. Increase usage will decrease the enjoyment of residential backyards, as this is used as a buffer zone for derailment.	Yes, safety concerns will be a factor in the housing and resale of the residents, leading to increased housing turnover, higher rental percentages. Concerns for students will be a factor in considering school facilities for families as they establish households.
Environmental justice	Yes, Students at St. Louis Park High and Peter Hobart (both schools have significant minority populations) will be impacted.	The FRR will decrease school morale and possibly increase destructive behavior as the community reflects on the significance of forcing the FRR. A 'Rondo' effect.
Air quality	Yes, laboring locomotives will spew diesel fumes, and vehicles on the roadways will spend more time idling while waiting for trains.	Yes. negative impacts to resident health from increase pollution exposure. Property maintenance, upkeep will increase due to the settling of pollution on structures.
Noise	yes, inverse condemnation, loss of property rights as residents can no longer enjoy their backyards. Lack of direct south connection may cause the FRR area to become a defacto switching yard.	Yes, introduction of a direct route will encourage more freight traffic, use of ports and yards will change which allow for more traffic also. Noise level, exposure are not stagnant but should be expected to increase.

Vibration	Yes- increased vibration will impact structure foundations and could increase radon exposure.Lack of direct south connection may cause the FRR area to become a defacto switching yard.	Yes, introduction of a direct route will encourage more freight traffic, use of ports and yards will change which allow for more traffic also. Vibration level, exposure are not stagnant but should be expected to increase.
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Economic effects	Yes, due to lower property values the tax base of St. Louis Park will no longer be raked as one of the 100 best Cities in America	Yes, a lower tax base due to lower property values will raise taxes on the homes a distance from the tracks and will also result in fewer services for residents.
Station Area Development	No, Most of the re-route area is too far from a station to benefit.	No, Community works dollars will be spent on station areas and the re-route area will be left to flounder
Transit effects	Yes, The MTC bus that crosses the MN&S at Lake Street, Library Lane and Dakota Ave. could experience schedule problems due to trains in crossing.	Yes, because of problems with scheduling the busses could be removed from service leaving people who need the bus and make transfers in uptown or downtown in Minneapolis without transportation
Effects on roadways	Yes, side streets will be difficult to traverse because of queues of cars. Since these queues will be at random times people will not be able to effectively plan their day.	Yes, emergency vehicles will have difficulty traversing the area. People will suffer because of delayed response time. Because people will attempt to avoid the roads in the re-route area as much as possible, traffic on Minnetonka Boulevard will become even more congested.

## 9.6 Long-Term Effect

This section states that no mitigation is "needed, proposed or anticipated" for the MN&S spur. It is difficult to believe that a 788% increase in the number of rail cars moving on the MN&S spur will need no mitigation, yet that is what is proposed in section 9.6. The section even goes on to say that "Because the indirect effects and cumulative impacts (of SWLRT) are considered desirable and beneficial no mitigation is required." The benefits of Light rail will in no way ameliorate the negative impacts done by the re-routed freight. Light rail will not straighten tracks to save neighborhoods from derailments, it won't decrease noise and vibration or fix any other of the negative impacts caused by increased rail traffic.

As pointed out in the comments to Chapters 3, 4, 5 and 6, the negative impacts from moving freight traffic to the re-route area are extensive but these impacts are unaddressed by the SWLRT-DEIS which simply asserts in section 9.6 that no mitigation is needed for the freight rail re-route area. Should freight be re-routed from a former Chicago to Seattle mainline to tracks that were built to accommodate electric interurban trains, the mitigation needs will be extensive. Lists that include, but are not limited to all of the mitigation that will be needed in the MN&S re-route area, from just east of Minnehaha Creek to the junction of the new BNSF siding with the BNSF main line, can be found in the City of St. Louis Park comments and the SEH report. [http://www.stlouispark.org/webfiles/file/community-dev/techmemo\\_4.pdf](http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf) (SEH document); [http://www.mnsrailstudy.org/key\\_documents](http://www.mnsrailstudy.org/key_documents) EAW Comments. These lists are in no way definitive. No matter how much mitigation is done, the MN&S Spur will always be a retro fitted interurban carrying freight trains that belong on tracks built for mainline rail traffic.

## 9.7 - Greenhouse Gasses

Increased diesel fumes caused by locomotives laboring up the two steep interconnects, idling for long periods of time, perhaps making multiple trips through the neighborhoods will have a cumulative impact. The area around the MN&S re-route area will become intolerable because of the added pollutants. The community further afield will suffer indirectly because of the increase of smog.



## CHAPTER 10 - ENVIRONMENTAL JUSTICE:

Improper Analysis: Section 10.3.1: The same methodology was not used in both identifying census blocks for the five alternatives and the Freight Rail Relocation. It is discussed that a half mile buffer was created but there is a footnote 2 on Page 10-2. The footnote clearly states that the area of impact for the Freight Rail Relocation was geographically narrower to ensure the analysis did not miss a minority population. First, it is poor process and suspect when a project doesn't use equal parameters. Second, it is not logical to state that a narrower impact area would help include more information. A narrower area can only leave a segment with lower impact due to less geographical area. And finally, it should also be considered that Hennepin County did not take serious consideration of the Sept 2011 letter by FTA. The letter requested that the Freight Rail and impacts be a part of the SWLRT. It is suspect that the information used in the SWLRT DEIS for the FRR environmental impacts was pulled from the MN&S Report (Located in Appendix H, Part 1). The MN&S Report is essentially the same information as the Minnesota State MN&S Freight Rail EAW which didn't include a half mile impact buffer because the scope of the state project would only consider adjacent properties. The fact that the area of impact is narrower for the FRR correlates the small scope of the original project.

Improper analysis: Table 10.3.1: The percentage of minority population impacts increases with the Co-Location option. Figure 10.3-2 with the LPA 3A indicates that there are pockets of high minority census blocks along the FRR, with the largest section in the Iron Triangle area of the FRR project. Co-Location would both eliminate these areas and is geographically smaller. Action requested to have the analysis of this percentage increase with co-location explained further.

Improper Analysis: There is a core analytical flaw in figures 10.3 when it describes the FRR and the Co-location area. It is flawed because the effects of segment "A" take into account the area north of Kenilworth corridor even though that area will be affected with or without the FRR. Therefore, this is an improper comparison. The figures should be divided as a.) FRR from the Interconnect structure to the BNSF siding. b.) Co-location section from West Lake to Penn Station area. c.) common area which is north and east of Penn Station to Target Field. Including the common area can only unfairly overestimate the impacts to the co-location segment.

Improper Analysis: It is important to highlight that the FRR segments have areas with high minority population. In comparison, the co-location area in Kennilworth Corridor have none. If the Re-Route section is chosen, the project will have a disproportionate negative impacts to minority in the freight decision- which is concern for the EPA and the principles of environmental justice and fair treatment. It is improper for the conclusion that the re-route is the environmentally preferred alternative for the freight. Maps of the FRR area vs co-location with minority populations (Attachment Appendix 10).

Missing from the environmental impacts for minority and low-income groups is an analysis of the demographics of the St Louis Park schools within half mile: Peter Hobart Elem., St Louis Park Senior High, and Park Spanish Immersion.

'A minority population means any readily identifiable group or groups of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed or transient persons such as migrant workers or Native Americans who will be similarly affected by a proposed DOT program, policy or activity.' FTA C 4703.1. The population of a school can be accurately described as a geographically dispersed people that gather for the purpose of education. In addition, the school board and each school administration has the liability of protecting and policing students while on campus, similar to the responsibilities of a local government.

School	Population	Percent Minority	High Minority Population Fit <sup>1</sup>	Percent Free and Reduced Meals
St Louis Park School District	4472	38.9%	yes	31.2%
Senior High	1381	38.4%	yes	32.9%
Peter Hobart Elementary	549	43.5%	yes	37.2 %
Park Spanish Immersion	513	26.5%	no	14%

<sup>1</sup> The percentage used to determine high minority population kit was 28.3%, Section 10.3.1.1

Source: slpschools.org- Fall 2012 Enrollment Comparison and Demographic information.  
(<http://www.rschooldtoday.com/se3bin/clientgenie.cgi?butName=Fall%202012%20Enrollment%20Comparison%20and%20Demographic%20Information&cld=0&permission=3&username=>)

Missing Information: The percentage of free or reduced meals is significant for the St Louis Park School District, Senior High, and Peter Hobart. it is difficult to determine from the free/reduced meals if there is an impact to low income population because the criteria is not a match. However, this is information that the project should investigate further to prevent improper high impacts.

Improper Analysis: The LPA discusses that the adverse effects on environmental justice populations. The different segments and criteria (construction, transit service and accessibility, air quality, multimodal environment) reach a conclusion that there is no disproportionate high or adverse effects anticipated. This conclusion is improper because the populations of minorities in the community of the FRR segment, school populations minorities, and possible low income students at the schools are not considered. In addition, it is stated the LRT will provide benefits to the environmental population. The Freight Rail Re-Route section of the LPA will have no benefits to the impacted populations, only negative impacts. Therefore, no offset of negative impacts by the LRT benefit. The conclusion of the Environmental Justice for the LPA is incorrect and improper.

Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on.

Action requested: Change the scope of the impact areas for the FRR and co-location segments to exclude the area that is north and east of the Penn Station.

Action requested: More weight should be given to the minority areas of the Freight Rail Re-Route because the impacts will be negative with no positive LRT offset.

Action requested: Include the minority and possibly low income populations of the impacted schools in the analysis.

## CHAPTER 11 - EVALUATION OF ALTERNATIVES:

On November 29, 2011 Hennepin County Commissioner Gail Dorfman stated, "How do we explain co-location being added without people thinking that co-location is on the table in a serious way, promises were made going a long way back"

[http://hennepinmn.granicus.com/MediaPlayer.php?view\\_id=10&clip\\_id=1459](http://hennepinmn.granicus.com/MediaPlayer.php?view_id=10&clip_id=1459)

Consequently, the comparison done on the proposed reroute of freight from the Bass Lake Spur to the MN&S Spur then from the MN&S to the BNSF Wayzata Subdivision and the co-location of the same freight trains was not done to ensure that the essential purpose of NEPA was fulfilled.

The purpose of this comment and our evaluation of each chapter is to show that the conclusion of the SWLRT-DEIS prepared by the HCRRA concerning the co-location or re-routing for freight trains is incorrect. We submit that based on our evaluation the conclusion that the re-route is preferable co-location should be re-evaluated.

- The inconsistencies and inaccurate information in Chapter 1 bring into doubt the need for the proposed reroute. The claims that the interconnects are part of the MnDOT State Freight Rail plan are unsubstantiated.
- The lack of public process discussed in Chapter 2 should bring into question the choice of Build Alternative 3A even being considered as an option much less chosen as the LPA
- The evaluations on impacts and indirect and cumulative impacts caused by the proposed reroute discussed in Chapters 3,4,5 , 6 and 9 do not fulfill the the purpose of each chapter.
- Chapters 7 and 10 of the SWLRT-DEIS fail to address the Federally mandated questions.
- The financial chapter 8 not only is suspect because of the "typo" found on November 26, 2012 but also because it does not discuss the ongoing maintenance cost associated with the building of two large pieces of infrastructure.
- The last Chapter 12, as with Chapter 2 spells out the lack of public process and the contempt with which the residents of St. Louis Park have been treated.

The following Table 11.1-1 is based on the table of the same number in the SWLRT-DEIS (11-2 to 11- 7). The information in this chart has been compiled to evaluate and compare the proposed reroute to co-location. The SWLRT-DEIS presents comparison tables for several aspects of the SWLRT but fails to provide a comparison table showing the attributes of the re-route and co-location. Using the table comparison format featured for other purposes in the SWLRT-DEIS, a reroute/co-location comparison table is presented below. Please note that only publicly available information is included in the table below, and that publicly available information does not include specifics of the SWLRT Light Rail alignment. All public documents used in this table are referenced in this SWLRT-DEIS Comment.

**Table 11.1-1 Re-route Option/Co-Location Option**

Goal and Evaluation Measure	Re-Route Option	Co-location Option
Traffic impacts - queue lengths (in vehicles) at freight rail at-grade crossings	Numbers for the re-route options looked at only one day in time.	Numbers looked at projected growth of area and traffic that impact on queue lengths.
Air Quality impacts	Higher emissions due to laboring diesel freight locomotives.	No change from emissions from diesel freight locomotives
Noise	Extreme increase not only because of increase in the number of trains, but also due to freight locomotive noise caused by steep grades of interconnects. Brake and wheel noise will also increase. Quiet Zone will not stop noise from trains	Noise from Freight trains will remain the same. The only increases in freight will cause by normal market factors.
Vibration	Extreme increase due to a 788% increase in rail cars	No, number of freight trains will remain consistent with current number
Hazardous Regulated materials	High - Potential to encounter more hazardous and regulated materials sites along the MN&S Spur and the BNSF Wayzata	
	Subdivision as well as with the construction of the interconnect at the contaminated Golden site.	
Construction Impacts	High - The building of two interconnects and moving tracks eight feet east above grade in close proximity to homes and businesses will be disruptive	Information in the DEIS is vague on the subject



Community Cohesion	Extreme impact	Impact caused by freight trains will not change, therefore, no impact
Property Acquisitions	At the very least the homes east of the MN&S between West Lake St. and Minnetonka Blvd. must be removed for safety reasons	Townhomes taken in the "pinch point" If they are removed a r-o-w wide enough for LRT, bicycles and freight will occur
Environmental Justice	St. Louis Park High School and Peter Hobart School both within ½ mile of the MN&S tracks have minority populations large enough to be considered a protected group	Impacts to minority groups caused by freight trains will not change. Freight trains already exist in the area.
Land use consistent with comprehensive plan	Yes	Yes, links in Chapter 3 are not conclusive.
Compatible with planned development	Yes	Yes, co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT and development are compatible
Economic Effects	No, beneficial effects to the local economy	Yes, co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT and development are compatible
Development Effects	No, beneficial effects to development	Yes, co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT and development are compatible
Safe, efficient, and effective movement of freight throughout the region, state and nation	No, the proposed re-route is not safe, efficient or effective	Yes
Continuous flow of freight throughout the study area	Yes	Yes

**Table 11.2-1 - Evaluation of Alternatives**

	Re-route Option	Co-location Option
Improved Mobility	does not support goal - re-route area will be congested	supports goal - co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT/ mobility issues are compatible
Provide a cost-effective, efficient travel option	supports goal	supports goal
Protect the environment	does not support goal - improper use of infrastructure is dangerous	supports goal, the co-location area was an active main line Freight rail yard for 110 years and then an active rail line. It has never been legally abandoned
preserve and protect the quality of the life in the study area and the region	does not support goal, improper use of infrastructure is dangerous	Supports goal, the co-location area was an active main line Freight rail yard for 110 year and then an active rail line. It has never been legally abandoned. Nothing about the freight changes
Supports economic development	Does not support goal, small businesses in the re-route area will be negatively impacted by the increased number of freight trains.	Supports goal, co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT and development are compatible
supports economically competitive freight rail system	Does not support goal, re-route is unsafe, inefficient and ineffective	Supports goal
Overall performance	Supports goal, LRT will be able to proceed as hoped	Supports goal, LRT will be able to proceed as hoped

#### 11.2.43 and 11.2.5 - LRT 3A (LPA- re-route) Compared to LRT 3-1 ( LPA-Co-location)

In a September 2, 2011 letter the FTA informed the HCRRA that since the proposed freight rail reroute is a connected action to the SWLRT, it must be added to the SWLRT-DEIS (Letter from Marisol Simon, FTA to Susan Haigh, Met Council Safe in the Park - Chapter 5 Appendix - Document 1)

This letter also instructed the HCRRA to add co-location to the SWLRT- DEIS study. Since NEPA was written to ensure that environmental factors are weighted equally, it should be assumed that all factors concerning the re-route as part of SWLRT and co-location as part of SWLRT would be given the same scrutiny. In fact, statute 23 CFR Sec. 774.17 under NEPA, which contains a "test" for determining whether an alternative is "feasible and prudent," should have been applied equally to both the proposed reroute and co-location options. The lack of effort to do a true "feasible and prudent" analysis of the freight rail reroute as part of the SWLRT--DEIS is staggering.

Had the "test" from 23 CFR Sec. 774.17 been applied equally to the re-route portion of LRT 3A and the co-location portion of LRT 3A-1 the following would easily have been determined:  
**LRT 3A / LRT 3A-1 - "Test" 23 CFR Sec. 774.17**

"Test" Category	LRT 3A - Re-route	LRT 3A-1 - Co-location
(i) It compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need;	Yes	No
(ii) It results in unacceptable safety or operational problems;	Yes, Safety issues include, but are not limited to, aggressive curves, excessive grade changes, multiple at grade crossing that are blocked simultaneously, narrow right of way. Operational issues include but are not limited to, locomotives pulling 100+ car trains up steep grades, more miles to St. Paul destination.	No, Safety issues caused by co-location of freight and LRT are surmountable. They are similar to problems at Blake Road on the SWLRT and most of the proposed Bottineau LRT line.

<b>(iii)</b> After reasonable mitigation, it still causes:	The City of St. Louis Park estimates a minimum of \$50 million needed for mitigation yet the reroute still causes:	Cost of mitigation for co-location has not been estimated, but since the issues are not unusual it is logical to think mitigation will take care of issues
<b>(A)</b> Severe social, economic, or environmental impacts;	Yes, Mitigation will not straighten tracks, lessen grade changes or move crossings or lessen the increase in heavy rail cars.	No, Impacts to communities will all be caused by LRT because mainline freight has been established in the area for over 100 year.
<b>(B)</b> Severe disruption to established communities;	Yes, The increase of 788% in the number of rail cars on the MN&S is excessive. The noise from the locomotives on the interconnects will be greater than any noise currently cause by freight trains, (a whistle-free zone will not solve noise issues) and the length of vehicle queues at grade crossing will be disabling	No, The number of rail cars in the area will not change. Any disruption will be cause by the addition of LRT.
<b>(C)</b> Severe disproportionate impacts to minority or low income populations;	Yes, Minority populations at two of the 6 area schools will be impacted.	No
<b>(D)</b> Severe impacts to environmental resources protected under other Federal statutes;	Yes, there is potential for additional water resource impacts along the MN&S Spur and the BNSF Wayzata Subdivision.	No, freight rail in this area will not change and therefore, any impact on the environment will be caused by LRT
<b>(iv)</b> It results in additional construction, maintenance, or operational costs of an extraordinary magnitude;	Yes, the building of the interconnects and new track needed will be very disruptive in the short term. Long term costs of the project also may be excessive since the railroads have not agreed to maintain the interconnects. Also, the cost to the CP during construction and the TC&W following	Yes, during construction of SWLRT there could be some additional costs however, once implemented co-location will be no different for freight traffic than what occurs today.



	implementation or the interconnect could be extensive	
(v) It causes other unique problems or unusual factors;	Yes, there is potential to encounter more hazardous and regulated materials sites along the MN&S Spur and the BNSF Wayzata Subdivision. There is also potential to encounter hazardous materials from the construction of the interconnect over the contaminated golden site.	No. The freight will not be any different than the freight today.
(vi) It involves multiple factors in paragraphs (3)(i) through (3)(v) of this definition, that while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude.	Yes, the cumulative impacts of the problems faced by the rerouting of the TC&W freight are unprecedented in their magnitude.	No. Although there will be some minor issues cause by the introduction of the SWLRT to the area, the problems are all not unusual to LRT and are surmountable.

Applying the "test" from 23 CFR Sec. 774.17 reveals that the proposed reroute in LRT 3A (LPA) is neither "feasible or prudent." Therefore, the use of 0.81 acres of Cedar Lake Park according to the Act of 1966 codified at 49 U.S.C. 303 and 23 U.S.C. 138 will not impede the building of SWLRT.

LRT 3A-1 (Co-location) best meets the Southwest Transitway project's Purpose and Need Statement as expressed by the goals of improving mobility, providing a cost-effective and efficient travel option, preserving the environment, protecting quality of life, supporting economic development, and developing and maintaining a balanced and economically competitive multimodal freight system. **In light of the facts presented in this SWLRT-DEIS response it is recommended that LRT 3A-1 (Co-location) be chosen as the only viable option for SWLRT.**



#### 11.4 - Next Steps

Should, despite overwhelming evidence that LRT 3A-1 ( LPA - co-location) is the option that best fits the needs of the SWLRT, LRT 3A (LPA - reroute) be chosen as the route for the SWLRT the next steps by Safety in the Park will include but not be limited to the following:

- A request for an independent investigation of "typos" in the SWLRT-DEIS and the time it took to find and correct the "errors"
- A request for an independent investigation as to the reason for the STB from being notified of the publication of the the SWLRT-DEIS and the time it took to find and correct the over-site.
- An appeal of the SWLRT-FEIS
- An effort to convince the City of St. Louis Park that municipal consent should be denied based on resolution that make it clear the City of St. Louis Park opposes the rerouting of freight trains from the CP's Bass Lake Spur to the CP's MN&S Spur if a viable option exists. (St. Louis Park City Resolutions, 1996--City of St. Louis Park Resolution - 96-73 [Appendix 1]; 2001 City of St. Louis Park Resolution - 01-120 [Appendix 1]; 2010 City of St. Louis Park Resolution - 10-070 [http://www.stlouispark.org/webfiles/file/freight\\_rail.pdf](http://www.stlouispark.org/webfiles/file/freight_rail.pdf); 2011 City of St. Louis Park Resolution 11-058 [http://www.stlouispark.org/webfiles/file/community-dev/5-31-11\\_resolution\\_relating\\_to\\_freight\\_activity\\_in\\_slp.pdf](http://www.stlouispark.org/webfiles/file/community-dev/5-31-11_resolution_relating_to_freight_activity_in_slp.pdf)).
- An effort will be made to convince the State of Minnesota not to fund SWLRT until further study is completed such that the missing information and flawed assumptions can be addressed. This secondary study needs to have a scope agreed upon by the city of St. Louis Park, Safety in the Park, and railroad companies. Furthermore, the secondary study must be conducted by a government agency and engineering firm not previously associated with the proposed re-route. Once the new study is completed, a computer-generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed re-route prior to making decisions.

#### Document list for chapter 11

- 1996 - City of St. Louis Park Resolution - 96-73 (Appendix 1)
- 1999 - St. Louis Park Task Railroad Study  
[http://www.hennepin.us/files/HennepinUS/Housing%20Community%20Works%20and%20Transit/Regional%20Railroad%20Authority/Authority/Railroad\\_Study\\_March\\_1999.pdf](http://www.hennepin.us/files/HennepinUS/Housing%20Community%20Works%20and%20Transit/Regional%20Railroad%20Authority/Authority/Railroad_Study_March_1999.pdf)  
-
- 2001 City of St. Louis Park Resolution - 01-120 (Appendix 1)
- 2010 City of St. Louis Park Resolution - 10-070  
[http://www.stlouispark.org/webfiles/file/freight\\_rail.pdf](http://www.stlouispark.org/webfiles/file/freight_rail.pdf)
- Short Elliot Hendrickson Inc. (SEH) - Comparison of the MN&S route and the Kenilworth route - [http://www.stlouispark.org/webfiles/file/community-dev/techmemo\\_4.pdf](http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf)
- 2011 City of St. Louis Park Resolution 11-058  
[http://www.stlouispark.org/webfiles/file/community-dev/5-31-11\\_resolution\\_relating\\_to\\_freight\\_activity\\_in\\_slp.pdf](http://www.stlouispark.org/webfiles/file/community-dev/5-31-11_resolution_relating_to_freight_activity_in_slp.pdf)
- Evaluation of Twin Cities and Western Railroad responses(EAW)  
[http://www.mnsrailstudy.org/key\\_documents](http://www.mnsrailstudy.org/key_documents)

#### MnDot Finding of Facts and Conclusions

- c. City of St Louis Park appeal
- d. MN&S Freight Rail Study EAW Brief of Relators Appeal, Jami Ann LaPray, et al
- e. Office of Hennepin County letter, dated Dec. 19, 2011
- f. MnDot Dot Resolution, dated Dec. 20, 2011

## CHAPTER 12 - PUBLIC AGENCY COORDINATION AND COMMENTS:

### 12.1.1

The statement is made that “the public and agency involvement process has been open and inclusive to provide the opportunity for interested parties to be involved in planning. Stakeholders had an opportunity to review and comment on the analysis and results at major milestones reached during the course of the study. The program was conducted in a manner consistent with National Environmental Policy Act (NEPA) and Section 106 regulations.” This statement is completely false considering the public concerned about the freight rail re-route issue.

NEPA 1500.2(d) states that the leading agency must “encourage and facilitate public involvement in decisions which affect the quality of the human environment.” This regulation was clearly ignored in regards to the potential freight rail re-route issue. Hennepin County did not “encourage and facilitate” public involvement concerning this issue. Hennepin County did not allow the “opportunity to review and comment on the analysis and results at major milestones reached” In fact, Hennepin County refused attempts for public comments and concerns regarding the freight rail issue at all of the outreach meetings prior to September 2, 2011. This included major milestone including the selection of the LPA. Because of the deliberate exclusion of the freight issue, the LPA selection process must be reopened and reexamined allowing public input to become part of the process.

#### 12.1.1.2

**CAC Process** - After the proposed re-route was added to the SWLRT project Safety in the Park was added to the Community Advisory Committee of the SWLRT. The CAC group had a reputation of being well run, open minded and inclusive. Our wish was to explain that our opposition to the re-route is not (as has been heralded by the county) to be anti-LRT. We wanted it known that our concern is simply that our county and state governments are misusing a piece of infrastructure and in doing so creating an unlivable, unsafe environment for a significant segment of the population.

Instead of listening to our concerns, the leadership of the CAC committee took the highly unusual step of changing the CAC Charter that had just been accepted by the committee. The original charter allowed for alternate members to take part in meetings as long as the leadership was notified in advance of the alternates attendance. (Appendix 12.1.1.2) The new charter rescinded the rights of alternates. Making it impossible for residents to be adequately represented.

The Community Engagement Steering committee is a local coalition of community groups formed around the Corridors of Opportunity within the Minneapolis- St Paul metro area. This body has met with the staff of the SWLRT, in regards to the principles and strategies of the CAC meeting.

The following is a list of recommendations that were adopted in Spring 2012.

Based on lessons learned from community engagement on the Central Corridor, SWLRT, Gateway Corridor, and Bottineau, the Community Engagement Steering Committee makes these recommendations on the formation, structure, and process for Community Advisory Committees (CAC):

- a) CACs will be formed early in the transitway corridor planning process at the start of the scoping phase.
- b) The purpose of CACs will include being a resource and check point for community engagement throughout the transitway corridor and the adjacent communities. They will review and approve a corridor project community engagement plan.
- c) CACs will identify the community issues and assign problem solving teams that include community members and project staff.
- d) Community Advisory Committees will be a community driven body facilitated and provided staff support by corridor project staff.
- e) CAC membership will be selected by communities they represent along transitway corridors.
- f) CAC and Business Advisory Committees will meet together on a quarterly basis.
- g) The Community Engagement Steering committee will support transitway corridor project staff with connections to underrepresented groups along the transitway corridors such as contacts to:

- Faith communities
- Cultural communities
- Place based groups
- Communities of color
- Small and Ethnic businesses
- Community Engagement Steering Committee members
- Disability community
- New immigrant communities
- Low-income communities
- Students at high schools, community colleges

- h) The orientation for the CAC will include environmental justice, equitable development, and cultural awareness training in their orientation that includes a combined map identifying where the underrepresented communities (low income, communities of color, new immigrants, and disabled) live.
- i) CACs will have the ability to set their own agenda, pass motions, and make recommendations to the corridor policy advisory committee and the corridor management committee through their voting representative.

- j) CACs will elect a chairperson from their membership who represents a grassroots community along the transitway corridor
- k) A community representative will be elected to serve by the CAC on the transitway corridor policy advisory committee as a voting member.
- l) Construction Communication Committees should be set up at least one month in advance of construction, with representatives appointed by grassroots community groups.

The SWLRT CAC has not been conducted in good faith on some of the recommendations that were adopted. It should be considered that the recommendations were agreed upon but not acted upon or implemented in process.

1. The SWLRT CAC was expanded in April 2012. The BAC was formed also in August 2012. To date, the CAC and the BAC has not met, nor is it in the agenda for the near future. part f.
2. The CAC does not have representations for the minority group along the Freight Rail Re-route or students from the St Louis Park High School. There has been no active recruitment for these group by the SWLRT Staff. part g.
3. The CAC members have not been able to set the agenda, pass motions, or make recommendations to the policy advisory committee. If there is a voting representative, the members of the CAC are not aware of this ability, who is the voting member, or how this vote is conducted. part i.
4. There has been no election to establish a chairperson. part j.
5. There has been no election to establish a representative the Management Committee. part k
6. Community issues were identified in a "dot-mocracy" survey, however details of the survey were denied the CAC committee and no subcommittees have been established. part c
7. The CAC has not been included as a resource and check point for community engagement throughout the transitway corridor and the adjacent communities. They have not reviewed or approved a corridor project community engagement plan. part b

#### 12.1.1.4

Table 12.1-1 lists meetings of Neighborhood, community and business groups where Southwest Transitway information was presented. The discussion of the freight issue was not allowed at any of these meetings.



#### 12.1.1.5

Since the DEIS was launched, three additions of the Southwest Newsline were published and distributed. The freight issue was deliberately excluded from all three publications.

#### 12.1.1.6

Table 12.1-2 lists community events where staff attended southwest materials were distributed. The opportunity to learn about the freight issue or discuss the freight issue was deliberately excluded from every one of these community events.

#### 12.1.1.8

Information about the freight issue was deliberately excluded from the southwesttransitway.org website prior to Sept, 2011.

#### 12.1.2

None of the articles on SW LRT listed in Table 12.1-4 included the freight issue. Table 12.1-5 lists media outlets contacted to run stories about the SW LRT project. None of the media outlets were contacted by project staff and asked to run a story about the freight issue.

#### 12.1.3

Twenty-five public meetings and open houses were held at locations within the Southwest Transitway project corridor to provide information to affected and interested communities and parties. The primary purpose of these meetings was to inform of the public about the study's process and to give all interested parties an opportunity to provide input, comments, and suggestions regarding the study process and results. The opportunity to provide input, comments and suggestions regarding the freight issue was deliberately excluded from each and every one of these 25 meetings.

#### 12.1.3.1

The scoping process is designed to inform the public, interest groups, affected tribes, and government agencies of the Draft EIS and to present the following items for comment:

1. Purpose and need for the project;
2. Alternatives to be studied; and
3. Potential social, economic, environmental, and transportation impacts to be evaluated.

The freight issue is the most controversial issue of the SW LRT project. The freight issue has the greatest potential social, economic and environments negative impacts yet it was not included during the vast majority of the SW LRT scoping process. The freight issue was deliberately excluded after multiple requests to include it in the scoping process. A specific and formal request from the City of St. Louis Park was made on October 14, 2008 to include the freight issue under the scope of the SWLRT DEIS. (Appendix 12.1.3.1a) The St. Louis Park Public Board of Education made a similar request on November 3, 2008. (See Appendix 12.1.1.3.1b) The NEPA Implementation Office of Enforcement and Compliance Assurance wrote a letter dated November 6, 2008 that stated the "impacts and contributions to the existing transportation network including freight/industrial, automotive, pedestrian, and bicycle modes should be fully presented in the DEIS".(Appendix 12.1.3.1c) Despite all of these requests, the freight issue was denied inclusion in the DEIS scope prior to Sept 2, 2011. The reason for this exclusion is unknown and not published in the DEIS.

#### 12.1.3.2

The discussion of the freight issue was deliberately excluded from all three of the open houses held on May 18, 2010, May 19, 2010 and May 20, 2010.

#### 12.1.5

The only opportunity the public was given by Hennepin County to discuss the freight rail re-route was at the PMT meetings discussed in section 12.1.5. However, any discussion of possible alternatives to the re-route (co-location) or the freight re-route's connection with SWLRT was strictly forbidden at these PMT meetings. In addition, the vast majority of PMT members and St. Louis Park community were not satisfied with the PMT process. The last PMT meeting included a public open house where over 100 St. Louis Park citizens attended and expressed their outrage regarding the PMT process. The comments made at the open house need to be part of the DEIS since the freight issue was excluded from all other opportunities for public input. The open house can be viewed at <http://vimeo.com/17945966>

In addition, Sue Sanger and Paul Omodt (St. Louis Park Council Members) wrote a letter to Hennepin County Commissioner Gail Dorfman and described the PMT as an "illegitimate and indefensible process" The complete letter can be found in the appendix. (Appendix 12.1.5a) Another letter was written by Ron Latz (State Senator), Steve Simon (State Representative) and Ryan Winker (State Representative) to Hennepin County Commissioner Mike Opat. (Appendix 12.1.5b) The letter was written because of the multitude of complaints made about the PMT process from their constituents. The letter asked that the residents of St. Louis Park receive fair treatment as Hennepin County makes a decision about a the possible re-route. They asked that fair studies and a transparent process. Despite these letters, Hennepin County did not change the way they treated St. Louis Park residents.

The following are comments made by PMT members to provide an overview of the severe shortcomings of the PMT process.

**Kathryn Kottke (Bronx Park):** "The 'process' was very frustrating because the questions I asked were not answered. In addition, during the open session residents were allowed to ask questions, but they were openly ignored; at some points, Jeanne Witzig, who facilitated the meetings, would simply respond, 'Next?' after residents had asked a question. Any discussions about SW LRT or possible alternatives to the reroute were not not allowed.

"Perhaps most frustrating was that we were asked to list our mitigation requests, but when the engineers had completed their work, they not only ignored every single mitigation request we had made, but they added mitigation we openly rejected such as a quiet zone by the high school and the closure of the 29th street at-grade crossing. Instead of making the reroute safer, Kimley-Horn planned for welded rails that would enable trains to run faster through a very narrow corridor."

**Karen Hroma (Birchwood Neighborhood):** "The PMT meetings were held only so Hennepin County can check a box and claim that they gathered "public input". The experience was frustrating and insulting. Several questions of mine went unanswered. None of the Birchwood residents' mitigation requests were given consideration. In fact, quite the opposite happened. Although the Birchwood residents very specifically asked that the 29th Street intersection remain open, the PMT concluded that the 29th Street be closed and that is was considered "mitigation". When the PMT wanted to discuss possible alternatives to the re-route we were told that this was not the appropriate time or venue to discuss."

**Jake Spano (Brooklawns Neighborhood Representative) and current St. Louis Park Council Member):** "I do not support increasing freight rail traffic through St. Louis Park or the rerouting of freight rail traffic North through the city until it has been proven that there is no other viable route. To do this, we need objective, honest assessments and an acceptance of mitigation requests by the people of the St. Louis Park. What was presented during the Project Management Team (PMT) process was lacking in all three of these areas."



**Claudia Johnston (City of St. Louis Park Planning Commission):** "PMT meetings were conducted to get input from cities, residents and businesses impacted by the SWLR and rerouting freight. The document that was produced from those meetings – the EAW – completely ignored the input of those stakeholders. Therefore the conclusion is that Hennepin County never had any serious intention of working with those stakeholders and used that process to complete one of their required goals which was to conduct public meetings. Hennepin County has continued to withhold information from public authorities like the Met Council, Regional Rail Authority and the FTA by producing documents like the EAW and the DEIS that contain false information."

**Kandi Arries (Lenox Neighborhood):** "I participated in the PMT as a concerned resident of Lenox neighborhood. The PMT was 'pitched' as a chance to problem solve and discuss issues openly. It became apparent though that the PMT was a poster child for government decisions that are made at the top, regardless of the input of the residents and the people impacted. Residents asked questions during the open forum but no answers were given. PMT members gave input to the consultant staff but responses were rare, if at all. Major changes were implemented by the county and the engineer- the lose of the southern connection and change of the cedar lake bike trail to a bridge. These changes were just implemented without the input of the members. The PMT was the forcing of the county wishes regardless of the resident concerns. Shameful."

**Jeremy Anderson (Lenox Neighborhood):** "I participated in the PMT meetings as a representative--along with Kandi Arries--of the Lenox neighborhood. Together, we solicited many pages of comments and suggestions for remediation, and submitted that information to the County. Everything we submitted was summarily ignored. At every turn, the County pretended that the changes THEY wanted were the ones which we had submitted, and that we had never submitted any suggestions. When questions were asked, the answer given by the representatives of the county was: 'this meeting is not to address that question.' -- it didn't matter WHAT the question was. My time was wasted, every citizen who attended had their time wasted, and the County wasted a significant amount of money on a consultant who did nothing other than look confused or defer to a representative of the county. I have never experienced anything so frustrating in my years of dealing with government at all levels. I have learned from this process that Hennepin County does what Hennepin County wishes, regardless of what the citizens say. I would expect government like this in a Monarchy, an Oligarchy, or some sort of despotic Dictatorship. Behavior such as this from a supposedly representative government is absurd, shameful, and should not in any way be encouraged. The irregularities around the EAW and DEIS are so massive, so coordinated and so mind-boggling as to suggest fraud and graft on a quite noticeable scale. The County has continually dodged funding questions, and whenever a number is suggested which looked unfavorable to the freight reroute, that number has magically been declared a typo at a later date. It is my suspicion that if the proposal were shown to violate several of Newton's Laws, that Hennepin County would declare that Newton had been incorrect in his fundamental discovery."

**Lois Zander (Sorenson Neighborhood):** "As a member of the PMT and representative of the Sorensen Neighborhood, I was able to see first hand how the public process was manipulated to make it look as though our neighborhood concerns were actually going to be considered in making a determination about the re-route. Prior to the meetings, PMT representatives were asked to get input from their neighborhoods regarding mitigation, should the reroute go through St Louis Park. In good faith, a neighborhood meeting was called and a list of concerns and possible mitigations was put together. This process put me in the position of getting our hopes up that our position would be heard, just to be dashed when exactly zero mitigations were revealed in the final document. I then needed to go back to my neighbors with this unhappy news and an explanation as to why I bothered them in the first place.

"During PMT meetings, faulty results were given as proof we needed no mitigation for vibration, noise and safety. For example: an "expert" took a reading next to the current small train as it passed along the MN&S. He had beautiful charts and graphs all proving the noise was below any level of concern and therefore did not need to be mitigated. This certainly does not represent the noise of the mile long 2 or 3 engine train which will be passing through our neighborhood and by our schools. The same ploy was used to prove to that vibration would not be a concern to our homes and schools. Do they take us for fools? This is a waste of taxpayer money and an insult to all of us who worked in good faith at our meetings.

"When we raised safety concerns about students being on the tracks going to the football field or to lunch, we were told the trains cannot stop and if someone were killed it would be their fault for trespassing. Students will still be at risk simply by walking across a sidewalk crossing and there they will not be trespassing.

"I was extremely disappointed to find that the SWLRT-DEIS was also a sham. Instead of a new study, the same faulty results were once again used to disprove our need for mitigation or co-location. Even though studies have clearly shown the MN&S is not suitable for the reroute and that co-location is a cheaper and more viable alternative, the powers that be inexplicably insist on going through on the MN&S in St Louis Park.

"We do not want this hideous reroute through the middle of our city for which we have worked so hard to gain model city status as a top 100 city in the country to live. We are very disappointed by this process, which took so much of our time and energy, and we will continue to fight this egregious 'mistake'."



**Joe LaPray (Sorenson Neighborhood) and Jami LaPray (Safety in the Park):** "Almost fifteen years ago we got involved in the effort to stop the proposed freight rail re-route. We started small, writing letters to our elected officials and commenting during the scoping of the SWLRT. Each time we commented we were ignored or told the relocation of freight will make someone else's life easier. We vowed to continue to work toward a resolution that would not cost us our safety and home.

"When the PMT was formed we both volunteered to take part. The idea that we might finally be heard was wonderful. We were told the PMT members would have input on the design of the proposed re-route. We believed that even if we did not get everything we wanted, at least our ideas would be part of the design and life would be better for all of St. Louis Park. From the beginning this was not the case. Questions we asked either went unanswered or if answered after weeks of waiting the answers were cursory. We were told during the August 26, 2010 PMT meeting where in the process mitigation would be discussed and considered. In good faith we worked hard to reach out to our neighbors and compile a list that was not frivolous (we wanted things like bushes and sound barriers) we submitted that list to Kimley-Horn the engineering firm writing the EAW. When the EAW was finally published the list we worked hard to compile was not even a footnote in the EAW document.

"Other information gleaned during the PMT process that is pertinent to our concern was also left out of the EAW document and subsequently left out of the SWLRT-DEIS. For Example: during one of the meetings, Joseph asked, Bob Suko General Manager of the TC&W Railroad a question about the ability of a loaded unit train to stop should an obstacle be in an intersection near the Dakota and Library Lane intersections. The answer was "no" they could not stop.

"In the end it can only be concluded that the PMT process was designed to fulfill the duty of government agency to hold public meetings. Nothing else came from the process."

**Thom Miller (Safety in the Park):** "The entire PMT process was clearly not designed for public input, but rather for the county 'check the box' that they had held public meetings. Each meeting included a rather heated exchange between the facilitators and members on the re-route issue because the facilitators tried to shut down any such discussion."

The DEIS fails to mention the 2011 April 17 and 28 freight re-route listening sessions that were held by the city of St. Louis Park. Hundreds of St. Louis Park residents voiced their opposition to the freight reroute. Those comments should be included as part of the DEIS. These comments are especially valuable considering the freight issue discussion was excluded from the DEIS scoping process. Video of the listening sessions can be found at <http://vimeo.com/23005381> and <http://vimeo.com/23047057>.

#### 12.2.1

SATETEA-LU Section 6002 states:

"(1) PARTICIPATION- As early as practicable during the environmental review process, the lead agency shall provide an opportunity for involvement by participating agencies and the public in defining the purpose and need for a project.

'(4) ALTERNATIVES ANALYSIS-

'(A) PARTICIPATION- As early as practicable during the environmental review process, the lead agency shall provide an opportunity for involvement by participating agencies and the public in determining the range of alternatives to be considered for a project.

'(B) RANGE OF ALTERNATIVES- Following participation under paragraph (1), the lead agency shall determine the range of alternatives for consideration in any document which the lead agency is responsible for preparing for the project.

'(C) METHODOLOGIES- The lead agency also shall determine, in collaboration with participating agencies at appropriate times during the study process, the methodologies to be used and the level of detail required in the analysis of each alternative for a project.

'(D) PREFERRED ALTERNATIVE- At the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives in order to facilitate the development of mitigation measures or concurrent compliance with other applicable laws if the lead agency determines that the development of such higher level of detail will not prevent the lead agency from making an impartial decision as to whether to accept another alternative which is being considered in the environmental review process."

Hennepin County purposely kept the freight issue out of the SW LRT scope despite multiple requests from the City of St. Louis Park, the City of St. Louis Park School Board and the public. They clearly were not following the SAFETEA-LU directive to involve the public and participating agencies as early as possible. In fact, they did quite the opposite. The reroute was purposely excluded from the SW LRT scope so that Hennepin County could keep its agenda to remove the freight from the Kenilworth Corridor. The preferred alternative was developed to a much higher level of detail than LRT 3A-1 (co-location). Hennepin County has made every effort to keep co-location off the table. By the time the FTA forced Hennepin County to include co-location in the scope of the DEIS, so much progress has been made on the SW LRT project that it is impossible for the Met Council to make an impartial decision on the reroute verses co-location. The Met Council is not seriously considering co-location because a vote on the LPA has already occurred. The LPA selection process must be reopened with the freight issue included in order for an impartial decision to be made.

#### 12.2.2

The Section 106 review process is an integral component of the National Historic Preservation Act (NHPA) of 1966. Section 106 of the NHPA requires each federal agency to identify and assess the effects their actions will have on historic resources. The process requires each federal agency to consider public views and concerns about historic preservation issues when making final project decisions. The ultimate goal of Section 106 is to seek agreement among these participants regarding preservation matters arising during the review process. At the time that the Section 106 notification letters were sent out, the potential reroute of freight was not considered part of the SW LRT project. The Section 106 review process should be done with the potential reroute of freight included.

#### 12.3.1

From the initiation of the Draft EIS process in the spring of 2008, Southwest Transitway project staff have been collecting public comments and filing a public comment database specifically designed for the project. Currently, this database contains more than 1,000 comments provided by approximately 250 commenter. The database excludes any comments regarding the freight issue because the freight issue was not part of the SW LRT scope prior to Sept, 2011. The LPA selection process must be redone with the freight issue included so that public input and an unbiased decision about the LPA can be obtained.

### 12.3.2

In this section the FTA and the Metropolitan Council state that they will continue to meet with interested parties and stakeholders throughout the NEPA process. This section describes Metropolitan Council developed Communications and Public Involvement Plan (CPIP) which recognizes the need to communicate with the public. The CPIP's goals are:

1. Develop, maintain and support broad public understanding and support of the project as an essential means to improve our transportation system and maintain regional competitiveness.
2. Build mutual trust between the Metropolitan Council, its partners and the public by creating transparency through information sharing and regular, clear, userfriendly, and two-way communication about the project with community members, residents, businesses and interested groups in the corridor.
3. Promote public input into the process by providing opportunities for early and continuing public participation and conversation between the Metropolitan Council and the public.
4. Maintain on-going communication with project partners and ensure that key messages are consistent, clear and responsive to changing needs.
5. Inform elected officials and funding partners of the project and status to ensure clear understanding of the project, timing and needs.
6. Provide timely public information and engagement to ensure that the project stays on schedule and avoids inflationary costs due to delays.

The Metropolitan Council has failed reaching any of these goals in regards to individuals concerned with the freight issue. Because the freight issue was excluded from the vast majority of the SW LRT scoping period, Safety in the Park has attempted to set up a conference call between the Met Council, the FTA and the Safety in the Park co-chairs. Safety in the Park believes that this conference call would not make up for the exclusion of the freight issue for the majority of the SW LRT scoping period but would be a small step towards helping the FTA and Met Council understand the public's concerns regarding the potential reroute. Safety in the Park is optimistic that a conference call can be set up in the near future.



## APPENDIX H, PART 1:

### MN&S Rail Study, March 13 (pages 64-189)

In September 2011, the FTA requested that the SWLRT DEIS include an analysis of the impacts of re-routing the TC&W freight traffic. The FTA also requested an analysis of the co-location of the freight rail with the LPA or 3A such that a full analysis of alternatives would be completed according to the NEPA regulations.

The MN&S Report is the information and data that was used in the analysis of the environmental impacts for the FRR sections.

It is important to note that the information contained within the report is the same data that was presented as the MN&S Freight Study Environmental Assessment Worksheet completed by the Minnesota Department of Transportation, dated May 12, 2011, with collaboration from the Hennepin County Regional Rail Authority. During the 30 day comment period, Safety in the Park!, the City of St Louis Park, local agencies, Canadian Pacific and TC&W Rail companies, and many residents and neighborhood associations commented on the impacts discussed, including a request for further study.

The Minnesota Department of Transportation released a Finding of Facts and Conclusions on June 30, 2011 which listed the projects as a Finding of No Significant Impacts and that the project did not warrant further study as an EIS. The City of St Louis Park and a group of impacted residents and businesses appealed this decision to the Minnesota Court of Appeals, following the guidelines established within the State of Minnesota.

The City Of St Louis Park appealed on the basis of: 1) that the MN&S freight rail project and SWLRT was a connected action; 2) failure to treat the freight rail project as a connected action eliminated the option of including an environmental analysis of co-locating the freight rail and light rail in the Kenilworth Corridor and 3) the MN&S freight rail project as a stand alone project has the potential for significant impacts, requiring an Environmental Impact Statement.

The impacted residents and businesses appealed on the basis that: 1) the EAW violated Minnesota Environmental Protection Act (MEPA) because it fails to consider the SWLRT as a connected and phased action; 2) MN&S Freight Rail Study analysis of Noise and Vibration, and mitigation, is inadequate and 3) the analysis of the project's impacts to safety was inadequate.

After the September 2011 FTA letter and during the appeal process, representatives from Hennepin County requested that the appeals would be dropped. (LaPray Response to the motion to dismiss Jan 10, 2012)



Within two weeks of the scheduled appeal court date, the Office of the Hennepin County Attorney issued a statement dated December 19, 2011 from the Hennepin County Regional Rail Authority that the MN&S Freight Rail Project no longer warranted a separate environmental analysis as a stand alone project. On December 20, the Minnesota Department of Transportation issued a statement proclaiming that MnDot 'vacates' the EAW for the Proposed Freight project. The action of 'vacating' the document was an unprecedented end to an Environmental Assessment Worksheet in Minnesota but it forced the appeal to be dropped because there was no environmental document to appeal. This is a violation of the trust of constituents that governing bodies will act in good faith and without a predetermined objective - an important right within government projects.

It is with this history that the MN&S Report included as supporting documentation for the freight rail reroute must be considered. The MN&S report is the same hard field data that was presented as the MN&S Freight Rail Project EAW. The MN&S report does not include anything significantly different even though the EAW project was in the steps for an appeal, requesting more study of the impacts. It has the same inaccuracies and NEPA, MEPA violations. The SWLRT DEIS usage of this as supporting evidence therefore can only include the same inaccuracies and environmental act violations, partly due to the fact that the request for additional study was ignored by Hennepin County. A significant part of the EAW appeal was the request that the project was studied to the level of an Environmental Impact Statement. This only highlights that the MN&S Report and the included field studies are not to the level of study of an EIS. Yet, this is the information simply inserted into the SWLRT DEIS as an equal study and evaluation.

In addition, the MN&S Report is dated as March 13, 2012 but it is not clear who the report was released to. The staff at the City of St Louis Park were not consulted which highlights that the report did not have full disclosure with impacted stakeholders.

Whenever possible- comments from the EAW or the appeals have been used in this response.

Source for the MN&S Freight Rail Study:

[http://mnsrailstudy.org/yahoo\\_site\\_admin/assets/docs/FINAL\\_MNS\\_Freight\\_Rail\\_Study\\_EAW\\_05-12-2011.131184329.pdf](http://mnsrailstudy.org/yahoo_site_admin/assets/docs/FINAL_MNS_Freight_Rail_Study_EAW_05-12-2011.131184329.pdf)

Source for the MnDot Finding of Facts and Conclusions

[http://mnsrailstudy.org/yahoo\\_site\\_admin/assets/docs/MNS\\_Findings\\_of\\_Fact\\_June302011.187180927.pdf](http://mnsrailstudy.org/yahoo_site_admin/assets/docs/MNS_Findings_of_Fact_June302011.187180927.pdf)

3015 Park, MN 55416



Hennepin County  
Housing, Community Works & Transit  
ATTN: Southwest Transitway  
701 Fourth Avenue So.  
Ste 400  
Minneapolis, MN 55415

Contact: David Greene, ISAIAH Leader  
612-747-1982  
greened@obligato.org

### **Southwest LRT DEIS Full Comments Submitted by ISAIAH**

We respectfully submit these comments to the Southwest LRT DEIS on behalf of ISAIAH. ISAIAH is a coalition of 100 churches in the Twin Cities metro area and St. Cloud focused on racial and economic justice. We have been following development of the Southwest LRT project almost from its inception and have been working closely with the Harrison neighborhood and other organizations in North Minneapolis. Our comments will reflect our focus on racial equity and economic justice.

ISAIAH supports the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to those in Minneapolis who need them the most. Our comments will thus be focused on the 3A alignment proposal.

A

M5

Harrison is an environmental justice community with 67% people of color and 37% of its residents below the poverty level.

Bassett Creek Valley is home to one of the largest publicly owned underutilized parcel of land remaining near downtown Minneapolis. This land has historically been underused by the city, currently housing a concrete crushing facility, an impound lot and various light industrial structures. It has long been an eyesore and barrier to development near Harrison and other environmental justice community.

It also provides a crucial as-yet-to-be-developed link between economically struggling North Minneapolis and wealthier neighborhoods immediately to the south. As a result of 3A locally preferred alternative decision for the Southwest Light Rail Line, Bassett Creek Valley will now include the Van White Station a key connecting point to opportunity for residents of North Minneapolis, making this area even more strategic as an area to redevelop.

I2

For over a decade the Harrison Neighborhood Association along with the Bryn Mawr Neighborhood Association has been involved in creating the Bassett Creek Valley (BCV) Master Plan. Over 650 residents and other stakeholders participated in this effort. This process also led to a set of redevelopment principles that embody the community's values and wishes for a strong, sustainable, vibrant and attractive home. The Bassett Creek Valley Master Plan of 2006[1], which was approved by the Minneapolis City

Council on January 12th, 2007, calls for the redevelopment of Linden Yards East, West and the Impound Lot. These industrial use areas would be replaced with a mixed use development featuring a mix of housing densities and prices, retail and office spaces, green and open spaces, and other civic use spaces. The Bassett Creek Valley Master Plan was incorporated into the Minneapolis comprehensive plan approved by the Metropolitan Council.

M1

Following the City Council adoption of the Bassett Creek Valley Master Plan, the city proceeded with a rezoning study intended to make the neighborhood's zoning consistent with the Plan's vision of mixed use, higher density redevelopment. These zoning conversions went into effect on February 15th of 2008, and brought the neighborhood properties down from 65% to 6.5% industrial use zoned. Two-thirds of all properties were rezoned. In addition to these zoning changes, the City of Minneapolis Comprehensive Plan then adopted the Bassett Creek Valley Master Plan and designated the Bassett Creek Valley area at Glenwood Avenue as a "growth center." [2]

M1

Expected Redevelopment Outcomes Based on Bassett Creek Valley Master Plan:

- More than 3,000 housing units
- 2.5 million square feet of commercial space (office and retail)
- 40 acres of new open, green space
- 5000 to 6000 jobs

Development of the BCV Master Plan would revitalize the environmental justice community of the Harrison neighborhood and repair the decades of land use neglect and disinvestment at the Van White Station.

## Section 1.4 Project Goals and Objectives

ISAIAH supports SW LRT goals 1, 2 and 5, supporting economic development and new cost-effective, efficient travel options, particularly for residents of North Minneapolis.

K0

The 3A alignment for SW LRT is an essential piece of the BCV Master Plan. The Van White and Penn Ave. stations are key connection points between economically depressed North Minneapolis and employment opportunities in the southwest Minneapolis suburbs. In addition, many students from North Minneapolis travel to schools along the route and the LRT service would greatly reduce travel time for them.

I2

I2

M3

The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity to North Minneapolis while boosting ridership on the LRT.

#### **Section 3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)] Land Use**

ISIAH calls attention to the incomplete land use analysis. The rezoning of Bassett Creek Valley was approved February 2008 by the city of Minneapolis. This rezoning should be included in the SWLRT DEIS 3.1.2.4 Segment A Land Use.

M1

#### **Section 6. 3.1.3 Land Use Plans**

ISIAH has serious concerns about the Station Area Planning at the Van White Station – see the letter to the Minneapolis planning office sent by the Harrison Neighborhood Association (attached to comments submitted by the Harrison Neighborhood Association). To summarize the Harrison Neighborhood Association February 28th, 2011 letter addressed to Adele Hall, Hennepin County senior planner:

M1

The Harrison community requests for station area design without a commuter rail layover facility were never met. The final document clearly advocates for the siting of rail storage at Van White Station. The final document misrepresents the formal Minneapolis city council position on the sale of Linden Yards East at the Van White Station. The city directed city staff to explore joint development strategies at Linden Yards East and report back to city council.

H2

N12

The Van White Station Area Plans illustrations are misleading for policy maker by representing a platform (plinth) that could accommodate development above and rail storage below. This is misleading because the key feasibility work has not been completed and does not include the environmental assessment of siting a passenger rail storage yard and maintenance facility at the Van White Station.

H2

The Van White Station Area plan does not adequately assess Harrison neighborhood property owners, renters and business owners. The Bassett Creek Valley is home to over 170 businesses and over 150 homes all of which are in the ½ mile radius of the Van White Station. The accessibility of this station to pedestrians, bicycles and automobiles were limited to the future improvement of Van White Memorial Boulevard. Increasing the accessibility to the Van White State is critically important to our environmental justice communities access to jobs along the Southwest LRT.

I2

ISIAH fully shares the concerns expressed by the Harrison Neighborhood Association. Destroying over a decade of active community participation in the areas' redevelopment would be a grave injustice.



### **3.1.5.1 Effects to Land Use and Socioeconomics; Segment A**

ISIAH finds the Segment A description inadequate. It should include mention of the Bassett Creek Valley project area.

**M1**

“The boundaries for the Bassett Creek Valley project area were established by the Minneapolis City Council in 1998. The Valley is a 230-acre, largely industrial area bound on the west by Cedar Lake Road, on the east by I-94, on the north by the Heritage Park redevelopment area and on the south by I-394.”[3]

The Van White station is at the center of the Bassett Creek Valley project. Because of its significant size and city of Minneapolis site control, this project area deserves mention in this section of the SWLRT DEIS.

### **Section 3.1.5.2 Operations and Maintenance Facility**

ISIAH does not support locating the OMF at the Van White Blvd. Station site as this would be incompatible with the BCV Master Plan and would mortally wound neighborhood revitalization plans.

**H1**

### **Section 5.1 Economic Conditions**

Job linkage to North Minneapolis through the SW LRT corridor was highlighted as part of a SW LRT funding application by the Metropolitan Council to the Minnesota Department of Employment and Economic Development [4]. This point should be included in the description of the potential effects on the local economy.

**M2**

### **Section 6.1.1 Methodology**

In the Southwest Transitway Alternative Analysis Technical Memorandum #6 Travel Demand forecasting, the Van White Station is predicted to have an average weekday boarding of 600 riders by 2030. This ridership estimate is stated to be based on a version of the city of Minneapolis comprehensive plan that obviously does not include the Bassett Creek Valley Master Plan. Planners have stated repeatedly that the BCV Master Plan was not considered in ridership models. ISIAH would like to be assured that the SW LRT DEIS ridership model includes updated Van White Station ridership projections with the City of Minneapolis comprehensive plan adopted 10/2/09 which includes Bassett Creek Valley Master Plan. Again, this plan was approved by the Metropolitan Council and thus its effects on ridership should be modeled.

**P2**

### **Section 9.4 Reasonably Foreseeable Future Actions**

The Interchange need for a rail layover/maintenance facility will have an impact on the economic development potential at the Van White Station if such a facility is sited on Linden Yards East, the stated preferred site of Interchange project partners. ISIAH emphasizes once again that repeated requests for an environmental assessment of such a facility have gone unanswered by local agencies.

N12

ISIAH is very concerned about potential segmentation issues. Community members have repeatedly been told that the rail layover/maintenance facility cannot be considered as part of the SW LRT EIS analysis, yet the potential for this facility could seriously compromise ridership and the effectiveness of economic development and improved land use around the SW LRT project.

L4

#### **Section 10.4 Public Involvement**

ISIAH notes that none of the public hearing locations selected by Hennepin County and/or the Metropolitan Council was transit-accessible for people in Harrison and other North Minneapolis environmental justice communities who worked normal day shift hours. In fact, suggestions to hold hearings or meetings in North Minneapolis were met with resistance. This created enormous burdens on transit-dependent, environmental justice communities of North Minneapolis.

L1

#### **Section 12.1.1.2 Community Advisory Committee**

ISIAH calls attention to the fact that the Harrison Neighborhood representative to the CAC was removed as an official representative after the project entered the preliminary engineering phase, being demoted to alternate status. There is currently no official Harrison Neighborhood representative on the CAC. Efforts to have this changed have so far been unsuccessful. No adequate explanation of why this change occurred has yet been offered.

L1

#### **APPENDIX H - Land Use and Socioeconomic Analysis Methodology**

- Hennepin County Sustainable Development Strategy 2011
- Downtown Minneapolis Intermodal Station Siting and Feasibility Study
- The Interchange Environmental Assessment

Harrison Neighborhood Association has been told by Interchange (multi-modal station in downtown Minneapolis) project staff that Linden Yards East was the preferred site for the rail storage/layover facility that will accommodate the needs of the Interchange. The preference for this site is on page 53 of this submitted land use document. On June 22, 2011, HNA

H2

sent a letter requesting a comprehensive environment justice analysis for the rail storage and maintenance facility (scoping) to FTA, EPA, MN Dept. of Transportation, Hennepin County, and city of Minneapolis. The FTA region 5 was the only responder.

In particular, a pending decision to locate the commuter train storage yard at Linden Yards East would substantially compromise the Bassett Creek Valley (BCV) Master Plan, by undermining the Master Plan strategy to use high intensity development in Linden Yards. This creates a threefold adverse impact. First, it effectively reduces or eliminates tax increment funding to finance redevelopment for the larger neighborhood. Second, it removes much of the potential to develop housing, both affordable and market rate. Third, it dramatically reduces the potential for Linden Yards to create a catalytic effect for the larger area.

### **The Minneapolis Plan for Sustainable Growth**

ISAIAH references page 1.24 in this comprehensive plan for the city of Minneapolis: "Bassett Creek Valley. Bassett Creek Valley is a designated Growth Center just outside of Downtown Minneapolis that is anticipated to experience intensive office and residential development. Guided by the approved Bassett Creek Valley Master Plan, and with large tracts of City-owned land that are available for development, the area is proposed to include a large new park along Bassett Creek, a neighborhood retail node at Glenwood Avenue and Van White Memorial Boulevard, and high-rise office and residential development along Interstate 394. Redevelopment priorities include ensuring affordable housing, creating living wage jobs, and promoting good design. The City is partnering with public and private entities to assist in this major redevelopment project."

M1

### **Bassett Creek Valley Master Plan**

ISAIAH supports the Bassett Creek Valley Master Plan and its implementation.

M1

### **Minnesota Department of Transportation Comprehensive Statewide Freight and Passenger Rail Plan**

Minnesota Department of Transportation is the lead agency in the Chicago-Minneapolis/St. Paul Corridor Work. MNDOT has stated that their preferred location for high speed rail storage and maintenance facility is at Linden Yards East at the Van White Station. Harrison Neighborhood Association is still awaiting response to their correspondence requesting an environmental justice analysis for the proposed high speed rail storage and maintenance facility at Linden Yards East.

M5

## References

- [1] [http://www.minneapolismn.gov/cped/planning/plans/cped\\_basset-creek](http://www.minneapolismn.gov/cped/planning/plans/cped_basset-creek)
- [2] "Revitalizing Bassett Creek Valley: Potential Costs and Opportunity Losses of Locating a Train Storage Facility in Linden Yards vs. Mixed-Use Development", December 2009 Prepared for the Harrison Neighborhood Association at the HHH Institute by J. Armstrong, K. Maudal Kuppe, P. Stewart, K. Wayne
- [3] Bassett Creek Valley Master Plan Executive Summary, Hoisington Koegler Group, Inc. with: SRF Consulting, Braun Intertec, Biko Associates, Maxfield Research; January 12, 2007
- [4] <http://www.positivelyminnesota.com/capgrantdocs/MET01.pdf>, page 12

Name:

Johnny Terns

Address:

8543 Reswood Ct  
Maple Grove, MN 55309

Phone:

(763) 420-2813

**Southwest LRT DEIS Comments**

I respectfully submit these comments on the Southwest LRT DEIS.

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Following are comments specific to sections in the DEIS.

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I support SW LRT goals 1, 2 and 5, economic development and cost-effective, efficient travel options.

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The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

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Land Use**

The rezoning of Bassett Creek Valley was approved February 2008 by the city of Minneapolis. This rezoning should be mentioned in this section.

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The description is inadequate and should include mention of the Bassett Creek Valley project area. The Van White station is central to the Bassett Creek Valley project. Because of its significant size and city of Minneapolis site control, this project area deserves mention in this section.

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The Metropolitan Council highlighted job linkage to North Minneapolis through the SW LRT corridor in a SW LRT funding application to the Minnesota Department of Employment and Economic Development. This point should be included in the description of the effects on the local economy.

#### **Section 6.1.1 Methodology**

Ridership at the Van White station is underreported. It does not account for the Bassett Creek Valley Master Plan. The ridership model should use the City of Minneapolis comprehensive plan adopted 10/2/09 which includes Bassett Creek Valley Master Plan.

#### **Section 9.4 Reasonably Foreseeable Future Actions**

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Community members have repeatedly been told that the rail layover/maintenance facility cannot be considered as part of the SW LRT EIS analysis, yet this facility could seriously compromise ridership and the effectiveness of economic development and improved land use around the SW LRT project.

#### **Additional Comments**

---

Name: Nancy Wiens  
Address: 1499 Osceola Ave, St. Paul, MN 55105  
Phone: 651/698-6224

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#### **Additional Comments**

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Name: Phyllis M. Hill

Address: 2422 Clinton Ave. South, Apt. E14, Mpls, MN 55404

Phone: Cell. 701. 8096

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Name: Sarah Gleason

Address: 271 Forbes Ave St. Paul MN 55102

Phone: 651-335-4507

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#### **Additional Comments**

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Name: Eric Howard

Address: 115 2nd ave. S. MPIS 55401

Phone: 9287011954

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The 3A alignment for SW LRT is an essential piece of the Bassett Creek Valley (BCV) Master Plan. The Van White and Penn Ave. stations are key connection points between economically depressed North Minneapolis and employment opportunities in the southwest Minneapolis suburbs. In addition, many students from North Minneapolis travel to schools along the route and the LRT service would greatly reduce travel time for them.

The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

#### Section 3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)] Land Use

The rezoning of Bassett Creek Valley was approved February 2008 by the city of Minneapolis. This rezoning should be mentioned in this section.

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#### **3.1.5.1 Effects to Land Use and Socioeconomics; Segment A**

The description is inadequate and should include mention of the Bassett Creek Valley project area. The Van White station is central to the Bassett Creek Valley project. Because of its significant size and city of Minneapolis site control, this project area deserves mention in this section.

#### **Section 5.1 Economic Conditions**

The Metropolitan Council highlighted job linkage to North Minneapolis through the SW LRT corridor in a SW LRT funding application to the Minnesota Department of Employment and Economic Development. This point should be included in the description of the effects on the local economy.

#### **Section 6.1.1 Methodology**

Ridership at the Van White station is underreported. It does not account for the Bassett Creek Valley Master Plan. The ridership model should use the City of Minneapolis comprehensive plan adopted 10/2/09 which includes Bassett Creek Valley Master Plan.

#### **Section 9.4 Reasonably Foreseeable Future Actions**

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Community members have repeatedly been told that the rail layover/maintenance facility cannot be considered as part of the SW LRT EIS analysis, yet this facility could seriously compromise ridership and the effectiveness of economic development and improved land use around the SW LRT project.

#### **Additional Comments**

---

Name: Eleanor Glewwe

Address: 1083 Hague Ave St. Paul, MN 55104

Phone: 952-688-6699

### Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

I support the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to an area of need.

Following are comments specific to sections in the DEIS.

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I support SW LRT goals 1, 2 and 5, economic development and cost-effective, efficient travel options.

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The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

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#### **Additional Comments**

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Name: Doran Schrantz  
Address: 3936 3<sup>rd</sup> Ave-S Minneapolis MN 55406  
Phone: 612-221-4911

### Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

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#### **Additional Comments**

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Name: David Mann  
Address: 2024 28<sup>th</sup> Ave S Mpls, MN 55406  
Phone: 612-288-0971

### Southwest LRT DEIS Comments

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#### **Additional Comments**

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Name: *Rev Paul Slack*  
Address: *9033 Loch Lomond Blvd*  
*Brooklyn Park, MN 55443*  
Phone: *763-425-5062*

### **Southwest LRT DEIS Comments**

I respectfully submit these comments on the Southwest LRT DEIS.

I support the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to an area of need.

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The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

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#### **Additional Comments**

---

Name: Elaine J. Gaston

Address: 4556 18th Ave So Mpls, MN 55407

Phone: 612-722-6734

### Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

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#### **Additional Comments**

---

Name: Nanna Eder  
Address: 336 Apple Lane  
Phone: 612-388-5913

### Southwest LRT DEIS Comments

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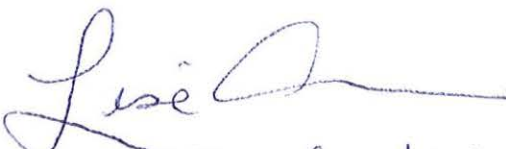
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#### **Additional Comments**

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Name: **LISA Amman**   
Address: 1162 Thomas Ave, St Paul, MN 55104  
Phone: 612 - 242 - 9032

### **Southwest LRT DEIS Comments**

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#### **Additional Comments**

---

Name: Meghan Grossman

Address: 3540 38th Ave S Mpls MN 55406

Phone: 612-724-9118

### Southwest LRT DEIS Comments

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#### **Additional Comments**

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Name: ANNE ATTEA

Address: 1723 BRYANT AVENUE, MPLS 55411

Phone: 612-424-6211

### Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

I support the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to an area of need.

Following are comments specific to sections in the DEIS.

#### Section 1.4 Project Goals and Objectives

I support SW LRT goals 1, 2 and 5, economic development and cost-effective, efficient travel options.

The 3A alignment for SW LRT is an essential piece of the Bassett Creek Valley (BCV) Master Plan. The Van White and Penn Ave. stations are key connection points between economically depressed North Minneapolis and employment opportunities in the southwest Minneapolis suburbs. In addition, many students from North Minneapolis travel to schools along the route and the LRT service would greatly reduce travel time for them.

The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

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#### **Additional Comments**

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Name: **Chuck MERTENS**  
Address: 3473 Lake Johnson Blvd  
Arden Hills MN 55122  
Phone: (651) 631-9444

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#### **Additional Comments**

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Name: Irene Jensen  
Address: 3815 Glendale Ter # 3 Mpls, MN 55410  
Phone: 612-408-2005

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#### **Additional Comments**

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Name: *Marie Braun*  
Address: *4015 Upton Ave No, Mpls 55412*  
Phone: *612-522-1861*

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#### **Additional Comments**

Name: BARBARA PALMER  
Address: 5916 12<sup>th</sup> Ave. S.  
Phone: 612-869-4517

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#### **Additional Comments**

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Name:

Jim Brown

Address:

4015 Lytle Ave NE  
Mpls, MN 55412

Phone:

612 522 1861

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#### **Additional Comments**

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Name: Mary Slobig  
Address: 4433 Garfield Ave S Mpls MN 55419  
Phone: 612 926 8459

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#### **Additional Comments**

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Name: Brenda Dahlhelmer  
Address: 2760 Lancaster Ln N  
Plymouth MN 55441  
Phone: 320-224-1672

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Community members have repeatedly been told that the rail layover/maintenance facility cannot be considered as part of the SW LRT EIS analysis, yet this facility could seriously compromise ridership and the effectiveness of economic development and improved land use around the SW LRT project.

#### **Additional Comments**

---

Name: Mary Ellen Vetter

Address: 7715 York Lane N Brooklyn Park

Phone: 763 561-1761

### Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

I support the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to an area of need.

Following are comments specific to sections in the DEIS.

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The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

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The rezoning of Bassett Creek Valley was approved February 2008 by the city of Minneapolis. This rezoning should be mentioned in this section.

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#### **Additional Comments**

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Name: Joanne Neptack

Address: 121 Washington Ave S #517, Mpls. 55401

Phone: 612 333 2447

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#### **Additional Comments**



Name:

Stephen Weinbaum

Address:

6337 Orchard Ave. N. 8 BK 11 Ct. MN 55429

Phone:

763-533-8381

### Southwest LRT DEIS Comments

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#### **Additional Comments**

---

Name: Nathan Lind  
Address: 3939 Standish Ave, Minneapolis, MN 55407  
Phone: 612-724-8925

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#### **Additional Comments**

---

Name: Paula Keller  
Address: 3905 12th Ave. So. Minneapolis MN 55407  
Phone: 612-822-9122

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#### **Additional Comments**

---

Name: Aneesa Parks  
Address: 1500 Queen Ave N.  
Phone: Mpls MN 55411  
612. 588. 2402

#### Southwest LRT DEIS Comments

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#### **Additional Comments**

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Name: Michele Smith

Address: 2521 Garfield Ave S #101

Phone: Mpls, MN 55405

612-804-7358

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#### **Additional Comments**

Name: ADAM LUBERT

Address: 2521 GARFIELD AVE S #101 Minneapolis, MN 55405

Phone: 612-805-5428

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#### **Additional Comments**

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Name: Man, J. Walecha  
Address: 1433 18th Street NW, New Brighton, MN 55112  
Phone: 651-398-9161

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#### **Additional Comments**

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Name: Mark Anderson

Address: 3905 12<sup>th</sup> Ave. S. Mpls. 55407

Phone: 612.822.9122

### Southwest LRT DEIS Comments

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#### **Additional Comments**

Name:

jacqueline Moen

Address:

1631 Carl St #10 Lauderdale, MN 55108

Phone:

651.647.4570

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#### **Additional Comments**

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Name:

Amy Blumenshine

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Address:

3156 Elliot Ave. S, Minneapolis, MN 55407

Phone:

(612) 822-6059

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#### **Additional Comments**

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Name: Laurie A. Eaton

Address: 1240 Nes Lane, Plymouth, MN 55441

Phone: 612-750-1818

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#### **Additional Comments**



Name: Nathan Troutman Blumenshine

Address: 3906 Grand Ave. S., Minneapolis, MN, 55409

Phone: 612-709-4375

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#### **Additional Comments**

Name: Mariken Wogstad-Hansen

Address: 45 University Ave SE, Unit 508, Minneapolis, MN 55414

Phone: 612-369-7918

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